

A. MERRINECK ESTATES, LLC & MEDICO
INTERNATIONAL REALTY HOLDINGS LLC
(Applicant)

07-7-CZ12-3 (07-69)
BCC/District 7
Hearing Date: 1/24/08

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1980	Jacqueline & Peggy Parker	- Use variance office in AU. - Non use variance height. - Non use variance masonry wall.	ZAB	Approved w/conds.
1980	Jacqueline Parker Koger & Peggy Parker Tyrr	- Use variance office in AU. - Non use variance height. - Non use variance decorative wall.	BCC	Approved w/conds.
1981	Jacqueline P. Koger	Delete one condition of a previous resolution.	BCC	Approved w/conds.
1981	Jacqueline P. Koger	Delete one condition of a previous resolution.	ZAB	Denied without prejudice
1985	Robert & Jacqueline Koger	- Zone change from AU to RU-5A. - Use variance plant nursery. - Non-Use variance plant nursery. - Non-Use variance parking & detached signs.	BCC	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

ZONING ACTION

MEMORANDUM

Harvey Ruvin

Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com



DATE: November 8, 2007

#Z-

ITEM: 1.

APPLICANT: MERRINECK ESTATES, LLC & MEDICO
INTERNATIONAL REALTY HOLDINGS LLC

MOTION: Deferred to January 24, 2008 with leave to amend.

ROLL CALL	M/S	YES	NO	ABSENT
Diaz	S	X		
Edmonson		X		
Gimenez	M	X		
Heyman				X
Martinez		X		
Moss		X		
Rolle		X		
Seijas				X
Sorenson		X		
Sosa		X		
Souto				X
Vice Chairwoman Jordan				X
Chairman Barreiro		X		
TOTAL		9	0	

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANTS: Merrineck Estates L.L.C. and
Medico International Realty Holdings L.L.C.

PH: Z07-69 (07-7-CZ12-3)

SECTION: 33-54-40

DATE: January 24, 2008

COMMISSION DISTRICT: 7

ITEM NO.: A

A. INTRODUCTION

o REQUESTS:

The applicants are appealing the decision of Community Zoning Appeals Board #12 which denied without prejudice the following:

- (1) RU-5A to RU-5
- (2) DELETION of a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847, only as it applies to the subject property.

The purpose of request #2 is to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business and to allow the development of the site in accordance with the proposed zoning.

- (3) Applicants are requesting to permit parking within 25' of an official right-of-way (none permitted).

THE APPLICANTS HAVE REVISED THE REQUESTS AS FOLLOWS:

IN THE ALTERNATIVE TO REQUESTS #1 AND #3, THE FOLLOWING:

- (4) Applicants are requesting to permit a building height of 29' (24' permitted in the RU-5A zone).

AND WITH EITHER REQUESTS #1 AND #3 OR #4, THE FOLLOWING:

- (5) Applicants are requesting to waive the zoning regulations requiring a 5' high masonry wall or wood fence along the E/ly 50' of the interior side (south) property line.
- (6) Applicants are requesting to waive the landscape regulations requiring a 5' wide landscape buffer and 6' high wall, fence or hedge between dissimilar land uses along the E/ly 50' of the interior side (south) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of requests #3 - #6 may be considered under §33-311 (A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Galloway Medical Pavilion," as prepared by Bellon, Milanese, Architects and Planners, Sheets "SP-1," "LP-1" and "A3.0" dated stamped received 12/4/07 and remaining sheets dated stamped received 5/9/07 and consisting of 6 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicants are appealing the decision of Community Zoning Appeals Board #12 (CZAB-12) which denied without prejudice a request to change the zoning on the property from RU-5A, Semi-Professional Office District, to RU-5, Semi-Professional Office and Apartment District, in order to construct a proposed two-story medical office building, a request to delete a covenant restricting the property to be used only as an architect's office, florist, sod and nursery business, and to permit parking within 25' of the right-of-way. In addition to the original requests, the applicants have included alternative requests to their application and are seeking, in the alternative to requests #1 and #3 and retain the current zoning, to permit a proposed 2-story medical office building with a maximum height of 29' (24' permitted) (request #4). And with either requests #1 and #3 or the alternative request #4, the applicants request to waive the required 5' high wall or fence and dissimilar land use buffer along the easterly 50' of the interior side (south) property line. Therefore, based on the above, request #1 needs to be analyzed in conjunction with requests #2, #3, #5 and #6; however, request #4 would not apply. In the alternative, requests #2, #4, #5 and #6 would be under consideration by the Board.

o **LOCATION:** 7600 and 7650 S.W. 87 Avenue, Miami-Dade County, Florida.

o **SIZE:** 1.9 Acres

o **IMPACT:**

Approval of the request to delete a covenant restricting the property to be used only as an architect's office, florist, sod or nursery business, will have a positive impact on the community by eliminating the more intense uses for a sod and nursery business on the site. However, the requested variances to allow parking within 25' of the right-of-way, to allow a greater height (29') than the current RU-5A zone allows (24'), to waive the required wall and dissimilar land use buffer along the easterly 50' of the interior side (south) property line may have a negative visual impact on the surrounding area.

B. **ZONING HEARINGS HISTORY:**

In 1980, a portion of the subject property was granted a use variance to permit an architect's office in the AU, Agricultural District, as would be permitted in the RU-5A, Semi-Professional Office District, in conjunction with a landscape business (Jacky Parker's Sod). Additional requests included a non-use variance to permit the proposed building to be of a geodesic dome design, a non-use variance of zoning regulations limiting the building height to 24' to waive same to permit the proposed building with an overall height of 25' 9/16", as well as a non-use variance to permit a 6' high chain link fence along the interior side (south) property line to within 80' of the front property line in lieu of the required wall were also granted by the Zoning Appeals Board (ZAB), pursuant to Resolution No. 4-ZAB-138-80. In 1980, said application was subsequently appealed by two neighbors, residing in the EU-M residential neighborhood located to the west of the subject site, to the Board of County Commissioners (BCC) and the decision of the ZAB was sustained, pursuant to Resolution No. Z-175-80. In 1981, a request to delete Condition #5 of Resolution Z-175-80 prohibiting truck ingress/egress on the western

portion of S.W. 76 Street was denied without prejudice by the ZAB, pursuant to Resolution No. 4-ZAB-164-81. The applicant subsequently appealed the application in 1981 to the BCC which overruled the decision of the ZAB and approved the requested deletion of Condition #5 of Resolution Z-175-80 subject to conditions, pursuant to Resolution No. Z-174-81. In 1985, a district boundary change from AU, Agricultural District, to RU-5A, Semi-Professional Office District, a use variance to permit the maintenance and continued use of an existing sod business and florist shop on Parcel "A" (on the northern portion of the subject property), a use variance to permit the maintenance and continued use of a plant nursery on Parcel "B" (on the southern portion of the subject property) as well as a deletion of Condition #1 of Resolution Z-174-81 requiring the southbound driveway on SW 87 Avenue at the intersection of SW 76 Street be widened to 45 feet, was granted by the BCC, pursuant to Resolution No. Z-42-85. In addition, the aforementioned application also included the following non-use variances to permit the existing plant nursery to be operated from 5 open Quonset huts (Parcel B), to permit 6 parking spaces to be on turf blocks (hard surface required), to permit the maintenance and continued use of a 32 sq. ft. detached sign and a proposed 72 sq. ft. detached sign (none permitted) as well as a request to permit a proposed 6' high chain link fence in lieu of the required 5' high wall along the south property line, were also granted by the BCC pursuant to Resolution No. Z-42-85. A Declaration of Restrictions was proffered in conjunction with said Resolution, which among other things, restricted the subject property to the uses that were operating at that time on said property for an architectural office (RU-5A), florist, sod and nursery business and prohibited any additional uses. Furthermore, said Declaration of Restrictions also required that the applicant erect and maintain a row of Areca Palms at least as high as the west wall of Parcels A and B on the west side of said wall at the request of any owner of property abutting the west wall of Parcels A and B.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Office/Residential**. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning

and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-5A; vacant

Office/Residential

Surrounding Properties:

NORTH: RU-5A; Office building

Office/Residential

SOUTH: AU; Nursery

Office/Residential

EAST: RU-5A; Retail produce market

Office/Residential

WEST: EU-M; Single-family residences
and vacant land

Low Density Residential

The subject property is a corner lot located at 7600 and 7650 SW 87 Avenue, in an area characterized by semi-professional offices, a retail produce market, a nursery, and single-family homes.

E. SITE AND BUILDINGS:

Site Plan Review:

(Site plans submitted.)

Scale/Utilization of Site:

Acceptable*

Location of Buildings:

Acceptable

Compatibility:

Acceptable*

Landscape Treatment:

Acceptable

Open Space:

Acceptable

Buffering:

Acceptable

Access:

Acceptable*

Parking Layout/Circulation:

Acceptable

Visibility/Visual Screening:

Acceptable

Energy Considerations:

N/A

Roof Installations:

N/A

Service Areas:

N/A

Signage:

N/A

Urban Design:

N/A

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change**, **Section 33-311** provides that the Board take into consideration, among other factors, the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to

modify or eliminate any condition or part thereof, which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the following paragraphs have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.

Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDT	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

This application was deferred with leave to amend from the November 8, 2007 meeting of the BCC at the applicants' request. On July 10, 2007, the Community Zoning Appeals

Board – 12 (CZAB-12) denied the zone change (request #1) and companion requests 2, 3, 5 and 6 without prejudice, by a vote of 4 to 0, pursuant to Resolution #CZAB12-23-07. On July 27, 2007, the applicant appealed the CZAB-12's decision to the Board of County Commissioners (BCC) citing that the Board's decision to deny the application was not based on substantial competent evidence introduced on the record. Staff notes that all existing uses and zoning are consistent with the CDMP. As such, the CZAB-12's decision to deny the zone change and retain the existing AU use on the subject property is consistent with the CDMP.

The applicants have amended their application and are proposing an alternative, but also continue to seek a district boundary change from RU-5A, Semi-Professional Office District, to RU-5, Semi-Professional Office (request #1), to delete a Declaration of Restrictions in order to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business (request #2) and to permit parking within 25' of an official right-of-way (request #3). However, the alternative proposal retains the RU-5A zoning and requests to permit a building height of 29' where the RU-5A zone allows a maximum height of 24', (request #4) to be considered as an alternative to requests #1 and #3. The applicants have further amended the application to include additional requests with either requests #1 and #3 or #4, to waive the zoning regulations requiring a 5' high masonry wall or wood fence along the easterly 50' of the interior side (south) property line (request #5) and to waive the landscape regulations requiring a 5' wide landscape buffer and 6' high wall, fence or hedge between dissimilar land uses along the easterly 50' of the interior side (south) property line (request #6). The applicants have submitted revised plans depicting the aforementioned requests and have voluntarily proffered a covenant to prohibit residential uses on the subject property and restrict development of the site to the submitted plans.

The subject property is a corner lot located at 7600 and 7650 SW 87 Avenue, in an area characterized by semi-professional office buildings, a retail produce market, a nursery, and single-family homes. The 1.9-acre subject site underwent the demolition this past year of a two-story geodesic dome structure previously located on the northern portion of the subject property and an aluminum Quonset hut previously located in the southern portion. Plans submitted by the applicants which apply to both the original and alternative requests, depict the subject site to be developed with a proposed two-story medical office building that exceeds the maximum 24' height limitation in the RU-5A zoning district and attains a maximum height of 29' when measured to the roof line. Staff notes that, although the current RU-5A zone restricts height to a maximum of 24', the proposed RU-5 zoning in request #1 allows a maximum height of 35'. The original plans submitted by the applicants and presented before the Community Zoning Appeals Board 12 at the July 10, 2007 hearing depict the subject site to be developed for a proposed two-story medical office building that exceeds the maximum 24' height limitation in the RU-5A zoning district, attains a maximum building height of 29' when measured to the roof structure, and is situated in the center of the site with frontage on SW 87 Avenue. It should be noted that staff's review of the revised plans revealed that the configuration of the site remains unchanged with regard to the location and maximum height of the proposed medical office building. Further, it should be noted that both the original plans and the revised plans feature landscaping that includes, among other things, Gumbo Limbo, Geiger, Pigeon Plum, and Green Buttonwood Trees and various shrubs as well as a continuous cocoplum hedge along the perimeter of the site. Staff notes that the original plans also featured an existing 5' high wall along the west and south property lines and that the revised plans feature an existing 5' high wall along the west property line and a proposed 6' high chain

link fence along the south property line. Moreover, staff notes that the original plans indicate that the applicants have provided a surplus of 40 parking spaces yielding a total of 163 where 123 parking spaces are required and that the revised plans indicate that the applicants have provided a surplus of 36 parking spaces yielding a total of 157 parking spaces where 121 parking spaces are required. As indicated in both the original and revised plans, the proposed parking areas are located along the perimeter of the site. The original plans illustrate access to the parking area via a two-way circular drive with ingress/egress access provided at SW 87 Avenue and SW 76 Street. The revised plans illustrate access to the parking area via both a two-way circular drive and a one-way drive provided from SW 87 Avenue only. It should be noted that the applicants have also submitted an alternative plan option that illustrates access to the parking area via only the two-way circular drive from SW 87 Avenue. Staff notes that the alternative plans indicate that the applicants have provided a surplus of 36 parking spaces yielding a total of 157 parking spaces where 121 are required.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM requirements as indicated in their memorandum for this application. The **Public Works Department (PWD)** has **no objections** to this application subject to the condition that the proposed southern driveway connection along SW 87 Avenue on "Alternative Plan #1" be built with a raised curb to prevent water runoff onto the adjacent property to the south of the subject site. Their memorandum indicates that the driveway to SW 87 Avenue must meet current F.D.O.T. access management requirements. Additionally, their memorandum indicates that this application will generate **123** additional PM daily peak hour **vehicle trips**; however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways which are currently operating at LOS "C" and "E". Staff acknowledges that the proposed development will generate an additional 123 PM daily peak hour vehicle trips as indicated in the PWD memorandum but maintains that the applicant has provided a surplus of 36 parking spaces to accommodate the additional trips generated by the proposed development. The **Miami-Dade Fire Rescue Department (MDFR)** also has **no objections** to this application. They indicate in their memorandum that the average response time is 7:30 minutes.

Approval of the requests will allow the applicants to develop the site with a proposed 2-story medical office building and will remove the restrictions requiring the site to be used only as an architect's office, florist, sod and nursery business. Additionally, the approval of the requests will allow the applicant to situate the parking area within 25' of an official right-of-way and will also allow the applicant to waive the required dissimilar land use buffer along a portion of the southern property line in order to provide a one-way drive on the southeast corner of the site. This area is designated for **Office/Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, zoned, or Plan-designated adjoining or adjacent residential uses. The CDMP also indicates that office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from

the office. Other factors that will be considered in determining compatibility include, but are not limited to, traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Staff is of the opinion that the site plan submitted for the proposed office building will not have an unfavorable effect on the surrounding area. The subject property abuts single-family residences developed under the EU-M, Modified Estate District, zoning requirements to the west, and staff is of the opinion that the applicants have designed the proposed office site with sensitivity to these residences. The plans submitted for this application depict a 12'6" to 11'6" wide landscape buffer that features Gumbo Limbo, Geiger, Pigeon Plum, and Green Buttonwood Trees as well as a 6' high Cocoplum Hedge along the rear (western) property line. Moreover, as previously mentioned, the submitted plans also depict an existing 5' high concrete block wall along the western property line. Staff is of the opinion that the landscape buffer and existing 5' concrete block wall will effectively mitigate any negative visual or aural impacts the proposed development may have on the abutting EU-M zoned single-family residences to the west of the subject property. In addition, as previously mentioned, staff notes that the submitted plans indicate that the applicants have provided a surplus of 36 parking spaces yielding a total of 157 parking spaces for the site. As such, staff opines that adequate on-site parking has been provided for the proposed office building. The CDMP also indicates that the maximum scale and intensity, including **height** and floor area ratio of office development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and **scale of adjoining or adjacent residential uses**. The proposed medical office building will be surrounded by an existing RU-5A zoned office building to the north, a retail produce market also zoned RU-5A to the east, single-family homes zoned EU-M to the west and a plant nursery zoned AU, Agricultural District, to the south. The current RU-5A zoning on the subject property allows a maximum building height of two-stories; however, the zone also provides that the height shall not exceed 24 feet above finished grade. As previously mentioned, plans submitted by the applicants depict the subject site to be developed with a proposed two-story medical office building that attains a maximum height of 29' when measured to the roof line and 32' when measured to the top of the parapet. The proposed 2-story office building with a maximum height of 29' is, in staff's opinion, compatible with the area. Staff notes that two stories and a 35' maximum height is allowed in the EU-M and AU zones that abut the subject property to the west and south, and is also allowed in the RU-5 zone as proposed in request #1. Staff, is of the opinion that the proposed 2-story, 29' high medical office building is **compatible** with the height permitted in the surrounding area and consistent with the CDMP. As previously mentioned, the applicants have voluntarily proffered a covenant to prohibit residential uses on the subject property and to restrict the development of the site to the submitted plans. Based on the aforementioned, the proposed 2-story office building is **consistent** with the CDMP and, in staff's opinion, **compatible** with the area.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration whether the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider whether the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public

transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. The applicant is seeking approval for a district boundary change from RU-5A, Semi-Professional Offices District, to RU-5, Semi-Professional Offices and Apartments District, with the intention of constructing a two-story medical office building with a maximum height of 29'. As previously mentioned, staff concludes that the proposed development would be **consistent** with the LUP Map designation and the interpretative text of the CDMP and opines that it would be **compatible** with the surrounding area. Staff notes that the proposed office use will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Further, the Public Works Department has no objection to this application, and indicates that the additional 123 PM daily peak hour vehicle trips generated by this application will not exceed the acceptable level of service of the surrounding roadways. Furthermore, staff, opines that the placement of the proposed medical office use on the subject property is well suited, as indicated on the submitted plans, along SW 87 Avenue, since said roadway is a well traveled section-line roadway. As previously mentioned, the submitted plans indicate the proposed parking areas located along the perimeter of the site and accessed by both a two-way circular drive and a one-way drive provided from SW 87 Avenue only. As proposed, the design is sufficient in providing the required parking needed for the proposed office use and the surplus parking provided by the applicant. Moreover, as previously mentioned, the applicants have voluntarily proffered a covenant to prohibit residential uses on the subject property and to restrict the development of the site to the submitted plans. Therefore, staff opines that the proposed RU-5 zoning would be **compatible** with the surrounding area.

When request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the deletion of a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847, will not generate excessive noise or traffic, provoke excessive overcrowding of people, or tend to provoke a nuisance, and will not be contrary to the public interest. As previously mentioned, said Declaration of Restrictions was proffered in 1985 in conjunction with Resolution No. Z-42-85, which approved the current RU-5A zoning on the subject property along with use variances to permit the sod business, florist shop and plant nursery. The Declaration of Restrictions restricts the uses permitted on the subject property to an architectural office, florist, sod and nursery business and further stipulates that no other use of said property shall be permitted. Furthermore, said Declaration of Restrictions also required that the applicant erect and maintain a row of Areca Palms at least as high as the west wall of Parcels A and B (subject property) on the west side of said wall at the request of any owner of property which abuts the west wall of Parcels A and B (subject property). As previously mentioned, the 1.9-acre subject site underwent demolition of a two-story dome structure located in the northern portion of the subject property and a screened Quonset hut located in the southern portion of the lot which were utilized in conjunction with the previously approved architectural office, florist shop and sod and nursery business. The revised plans submitted by the applicants depict the subject site to be developed with a proposed medical office building which, staff opines, is less intrusive than the prior sod, florist and nursery business which resulted in the frequent ingress and egress of trucks onto the subject property. In addition, as previously mentioned, staff is of the opinion that the 12'6" to 11'6" wide landscape buffer and existing 5' high concrete block wall along the west property line as depicted on the submitted plans, will effectively mitigate any negative visual or aural impacts the proposed development may have on the abutting EU-M zoned single-family residences to the west

of the subject property. Furthermore, the memorandum issued by the Public Works Department indicates that the 123 additional PM daily peak hour vehicle trips generated by this application will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways. Therefore staff opines that the proposed deletion of the Declaration of Use will not generate excessive traffic. Based on all the aforementioned, staff recommends approval with conditions of request #2 under Section 33-311(A)(7).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicants have not submitted documentation to indicate which modification or elimination standards are applicable to request #2. Due to the lack of information, staff is unable to analyze the request under said standards and, as such, request #2 should be denied without prejudice under Section 33-311(A)(17).

Request #3 is necessary for the zone change requested in request #1 as the proposed RU-5 zone does not allow parking within 25' of the street. However, with the alternative to the zone change, to retain the existing RU-5A zoning and to permit the height variance (request #4), request #3 is not needed as the RU-5A zone allows parking within 25' of the street. When request #3 is analyzed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the request does maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the surrounding area. Request #3, to permit parking within 25' of an official right-of-way (not permitted), would not have an adverse effect on the stability and appearance of the community. As previously mentioned, the submitted plans depict the proposed parking areas to be located along the perimeter of the site, accessed by a two-way circular drive and a one-way drive provided from SW 87 Avenue. The applicants have provided a surplus of 36 parking spaces, which exceeds the requirement of 121 parking spaces. As such, staff opines that more than adequate on-site parking has been provided and that the parking to be located within 25' of the rights-of-way will not cause auto spillage into the streets and will not, therefore, have a negative effect on the area. Furthermore, as previously mentioned, the RU-5A zone allows parking within 25' of the street, and staff notes that the abutting properties to the north and east are zoned RU-5A and are allowed to have parking in this area. Staff further notes that the applicants have provided a landscape buffer with a minimum width of 9', which includes abundant landscaping in the form of Gumbo Limbo and Live Oak Trees, Royal Palms, and a Cocoplum hedge along the north and east property lines in order to mitigate any negative visual impact the parking might have. Additionally, staff notes that the **Public Works Department** has no objections to this application. Therefore, based on the aforementioned, staff recommends approval with conditions of request #3 under Section 33-311(A)(4)(b).

Request #4, to permit a proposed 2-story office building with a maximum height of 29', is requested should the Board opt to retain the existing zoning, and as an alternative to request #1, a zone change from RU-5A to RU-5. When request #4 is analysed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the request does maintain the basic intent and purpose of the zoning, subdivision and other land use regulations which is to protect the general welfare of the public, particularly

as it affects the stability and appearance of the community and would be compatible with the surrounding area. Request #4 would not have an adverse effect on the stability and appearance of the community. The current RU-5A zoning on the subject property allows a maximum building height of two-stories; however, the zone also provides that the height shall not exceed 24 feet above finished grade. As previously mentioned, plans submitted by the applicants depict the subject site to be developed with a proposed two-story medical office building that attains a maximum height of 29' when measured to the roof line and 32' when measured to the top of the parapet. The proposed 2-story office building with a maximum height of 29' is, in staff's opinion, compatible with the area. Staff notes that two-stories and 35' maximum height is allowed in the EU-M and AU zones that abut the subject property to the west and south, and is also allowed in the RU-5 zone as proposed in request #1. However, staff is supporting the requested zone change from RU-5A to RU-5, which allows a maximum height of 35.' Therefore, request #4 is not necessary with this alternative. As such, staff recommends denial without prejudice of request #4 under Section 33-311(A)(4)(b).

When requests #5 and #6 are analysed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the requests maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the surrounding area. The approval of request #5, to waive the zoning regulations requiring a 5' high masonry wall or wood fence along the easterly 50' of the interior side (south) property line and request #6, to waive the landscape regulations requiring a 5' wide landscape buffer and 6' high wall, fence or hedge between dissimilar land uses along the easterly 50' of the interior side (south) property line, would not have an adverse effect on the stability and appearance of the community. It should be noted that the submitted plans illustrate a proposed 6' high chain link fence and a 5'11" wide landscape buffer that features Gumbo Limbo, Geiger, Pigeon Plum, and Green Buttonwood Trees as well as a 6' high Cocoplum Hedge along most (approximately 83%) of the southern property line. The terminus of said landscape buffer and chain link fence lines up with the parking area located along the southern property line. As such, staff opines that the proposed 2-story building and parking area will be adequately buffered from the adjoining AU-zoned property located to the south of the subject site. Therefore, based on the aforementioned, staff recommends approval with conditions of requests #5 and #6 under Section 33-311(A)(4)(b).

When requests #3 through #6 are analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicants would have to prove that the requests are due to an unnecessary hardship and that, should the requests not be granted, such denial would not permit the reasonable use of the premises. Since the applicants have not proven that compliance with same would result in an unnecessary hardship and the subject property can be utilized in accordance with the zoning regulations and with previous zoning approvals, staff is, therefore, of the opinion that requests #3 through #6 cannot be approved under the ANUV Standards and should be denied without prejudice under Section 33-311(A)(4)(c) (ANUV).

Based on all of the foregoing, staff is of the opinion that, subject to the Board's acceptance of the proffered covenant, the proposed RU-5 rezoning would be **compatible** with the surrounding area and **consistent** with the provisions found within the interpretative text of the CDMP. Accordingly, staff recommends approval of the appeal and of the zone change from RU-5A to RU-5, subject to the Board's acceptance of the proffered covenant (request #1), approval with conditions of request #2 under Section 33-311(A)(7) and denial without

prejudice of same under Section 33-311(A)(17), approval with conditions of the requests to permit parking within 25' of an official right-of-way (request #3), to waive the zoning regulations requiring a 5' high masonry wall or wood fence along the easterly 50' of the interior side (south) property line (request #5) and to waive the landscape regulations requiring a 5' wide landscape buffer and 6' high wall, fence or hedge between dissimilar land uses along the easterly 50' of the interior side (south) property line under Section 33-311(A)(4)(b) (NUV); denial without prejudice of request #4 under Section 33-311(A)(4)(b) and denial without prejudice of requests #3 through #6 under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval of the appeal and approval of the zone change to RU-5, subject to the Board's acceptance of the proffered covenant (request #1); approval with conditions of request #2 under Section 33-311(A)(7) and denial without prejudice of same under Section 33-311(A)(17); approval with conditions of requests #3 and #5 through #6 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of request #4 under same, and denial without prejudice of requests #3 through #6 under Section 33-311(A)(4)(c) (ANUV).

J. CONDITIONS: (For requests 2, 3, 5 and 6)

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Galloway Medical Pavilion," as prepared by Bellon, Milanes, Architects and Planners, sheets SP-1, LP-1 & A3.0 dated stamped received 12/4/07 and the remaining sheets dated stamped received 5/9/07, for a total of 6 sheets, subject to F.D.O.T. approval of the proposed one-way southern driveway along SW 87 Avenue. In the event F.D.O.T. approval is not granted for the proposed one-way southern driveway along SW 87 Avenue, the same be substantially in accordance with that submitted for the hearing entitled "Galloway Medical Pavilion," as prepared by Bellon Milanes, Architects and Planners, sheets SP-1 & LP-1 dated stamped received 12/19/07, sheet A-3.0 dated stamped received 12/4/07, and the remaining sheets dated stamped received 5/9/07, for a total of 6 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained within this report.
5. That the applicants obtain a Certificate of Use from the Department of Planning and Zoning upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.

DATE INSPECTED: 05/31/07

DATE TYPED: 06/07/07

DATE REVISED: 06/13/07; 06/21/07; 06/22/07; 06/27/07; 07/03/07; 10/01/07;
10/04/07; 10/25/07; 11/02/07; 12/06/07; 12/07/07; 12/17/07;
12/20/07; 12/28/07; 01/09/08; 01/11/08

DATE FINALIZED: 01/11/08

SB:MTF:LVT:NC



Subrata Basu, Interim Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



Date: December 13, 2007

To: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name.

Subject: C-12 #Z2007000069-Revised
Merrineck Estates, LLC, & Medico International Realty Holdings
7600-7650 S.W. 87th Avenue
District Boundary Change from RU-5A to RU-5, Request to Delete a
Declaration of Restrictions and to Permit Parking within a Right-of-Way
(RU-5A) (1.90 Acres)
33-54-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Wellfield Protection

The subject property is located within the basic wellfield protection area for the Alexander Orr Wellfield. The site is situated within the 30-day travel time contour of the said wellfield. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code.

Since the subject request involves a nonresidential land use, or a zoning category that permits a variety of nonresidential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Section 24-43 (4)(b) of the Code provides that the maximum allowable sewage loading, for property not having indigenous sandy soil substrata, and located within the 30-day travel time contour of the basic wellfield protection area of any public utility potable water supply well, shall not exceed 1600 gallons per day per acre.

The applicant proposes to utilize the subject property as a medical office building. The applicant is advised that DERM approval of subsequent development orders shall be contingent upon verification that the proposed future tenants are in compliance with the restrictions of the existing covenant running with the land and with the above-mentioned sewage loading requirements.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards, as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards, subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted, if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of alternate means of sewage disposal may only be granted, in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

Section 24-43 of the Code also regulates stormwater disposal methods within public water supply wellfield protection areas. The Code requires that all stormwater runoff shall be retained on-site utilizing only infiltration or seepage-type drainage systems on that part of the wellfield protection area that is beyond the 30-day travel time contour and infiltration only for that part comprehended between 100 feet from the wells to the 10-day travel time contour. The Code prohibits the disposal of stormwater within 100 feet of the wells. Accordingly, all stormwater collected within this area shall be diverted from the same via concrete swale. Oil and grease interceptors will be required at all catch basins preceding the exfiltration systems.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant should be advised that, due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM may be required. The Permitting Section of DERM's Pollution Regulation and Enforcement Division may be contacted at (305)372-6600 for further information concerning operating requirements.

Air Quality Preservation

According to departmental records, the applicant has filed the required paperwork for the nursery demolition.

Wetlands

The subject property does not contain jurisdictional wetlands, as defined in Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

According to the site plan submitted along with the zoning application, specimen-sized tree(s) (trunk diameter 18 inches or greater) will be impacted. Section 24-49.2 of the Code requires preservation of specimen trees whenever reasonably possible. Prior to the removal or relocation of any tree on-site, which is subject to the Tree Preservation and Protection provisions of the Code, a Miami-Dade County Tree Removal Permit, which meets the requirements of Sections 24-49.2 and 24-49.4 of the Code, is required. Be advised that, pursuant to Section 24-49.2(II)(1) of the Code, evaluation of permit applications for the removal of specimen trees include, but is not limited to, factors such as size and configuration of the property, as well as any proposed development, location of tree(s) relative to any proposed development, and whether or not the tree(s) can be preserved under the proposed plan or any alternative plan.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History

DERM has found the following closed enforcement case for the subject property:

Jackie's Parker Sod
Folio 30-4033-001-0540:

DERM has file #UT-1377. There is record of a closed enforcement case for failure to have secondary containment on the underground storage tanks. Notices were issued September 20, 1990, December 19, 1990, and April 2, 1991, and the case was subsequently closed with the removal of the underground storage tanks on October 13, 1991.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency, subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

cc: Lynne Talleda, Zoning Evaluation - P&Z
Ron Connally, Zoning Hearings - P&Z
Franklin Gutierrez, Zoning Agenda Coordinator - P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MERRINECK ESTATES, LLC & MEDICO INTERNATIONAL
REALTY HOLDINGS LLC

This Department has no objections to this application subject to the following condition:

Proposed southern driveway connection along SW 87 Avenue on "Alternative Plan #1" must be built as an entrance only with a raised curb to prevent water runoff to adjacent property.

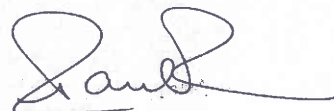
Additional improvements may be required at time of permitting.

Driveway to SW 87 Avenue must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 123 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-1075	SW 87 Ave. s/o SW 56 St.	C	C
F-1068	SW 72 St. w/o Palmetto Expwy.	C	C
F-1076	SW 87 Ave. n/o SW 85 St.	C	C
F-68	SW 72 St. e/o SW 107 Ave.	E	E

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

08-JAN-08

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY GAL AMOUNT OF FEE \$1,505.76

RECEIPT # L200723407

DATE HEARD July 10, 2007

BY CZAB # 12

207-069
RECEIVED
JUL 27 2007

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY GAL
DATE RECEIVED STAMP

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z2007000069

Filed in the name of (Applicant) Merrineck Estates, LLC & Medico International Realty Holdings, LLC

Name of Appellant, if other than applicant n/a

Address/location of APPELLANT'S property: 7600 & 7650 SW 87 Avenue

Application, or part of Application being Appealed (Explanation): Entire Appealable Application

Appellant (name): Merrineck Estates, LLC & Medico International Realty Holdings, LLC
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

The Community Zoning Appeals Board did not base its decision on substantial competent evidence in the record.

APPELLANT MUST SIGN THIS PAGE

Date 25th day of July, year: 2007

Signed

Hamid Bolooki
Hamid Bolooki, Managing Member of Merrineck
Estates, LLC, and authorized signatory for Medico
International Realty Holdings, LLC

Print Name

351 NW LEONE RD #600

Mailing Address

MIAMI FL 33126
City State Zip

305-643-5040 305-643-0068
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an
association or other entity, so indicate:

Representing

Signature

Print Name

Address

City State Zip

Telephone Number

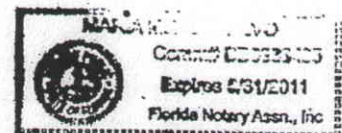
Subscribed and Sworn to before me on the 25 day of July, year 2007

Maria M. Montano

Notary Public

(stamp/seal)

Commission Expires:



Comm. # DD0668485

APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared Hamid Bolooki, Managing Member of Merrineck Estates, LLC, and authorized signatory for Medico International Realty Holdings, LLC (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing
☒ 2. Original Applicant
☐ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Maria M. Montalvo
Signature

MARIA M. MONTALVO
Print Name

[Signature]
Signature

CYRUS A. BOLOOKI
Print Name

Hamid Bolooki
Appellant's Signature

HAMID BOLOOKI
Print Name

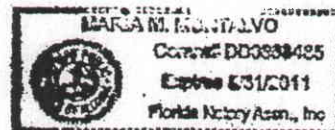
Sworn to and subscribed before me on the 25 day of July year 2007.

Appellant is personally know to me or has produced _____ as identification.

Maria M. Montalvo
Notary Public

(stamp/seal)

Commission Expires:



Comm. # DD0668485

RESOLUTION NO. CZAB12-23-07

WHEREAS, MERRINECK ESTATES L. L. C. & MEDICO INTERNATIONAL REALTY

HOLDINGS L. L. C. applied for the following:

- (1) RU-5A to RU-5
- (2) DELETION of a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847.

The purpose of request #2 is to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business and to allow the development of the site in accordance with the proposed zoning.

- (3) Applicant is requesting to permit parking within 25' of an official right-of-way (none permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of request #3 may be considered under §33-311 (A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Galloway Medical Pavilion," as prepared by Bellon, Milanes, Architects and Planners, dated stamped received 5/9/07 and consisting of 6 sheets.

SUBJECT PROPERTY: PARCEL "A": Tract 33 of DADE COUNTY DEVELOPMENT CO. SUBDIVISION, Plat book 1, Page 84 in Section 33, Township 54 South, Range 40 East, less the south 450' and less the right-of-way, Official Record Book 9451, Page 1178. AND: PARCEL "B": The north 111' of the south 450' of Tract 33 of DADE COUNTY DEVELOPMENT CO. SUBDIVISION, Plat book 1, Page 84 in Section 33, Township 54 South, Range 40 East, Plat book 1, Page 84.

LOCATION: 7600 and 7650 S.W. 87 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-5 (Item #1), and

the requests to delete a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847 (Item #2), and to permit parking within 25' of an official right-of-way (Item #3) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the application without prejudice was offered by Elliot N. Zack, seconded by Jose I. Valdes, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Edward D. Levinson	absent	Robert W. Wilcosky	absent
Alberto Santana	absent	Elliot N. Zack	aye
Carla Ascencio-Savola			aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to RU-5 (Item #1), and the requests to delete a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847 (Item #2), and to permit parking within 25' of an official right-of-way (Item #3) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 10th day of July 2007.

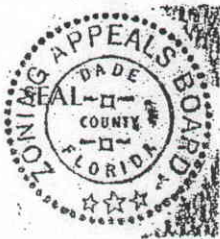
Hearing No. 07-7-CZ12-3
ls

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

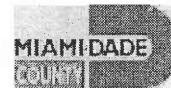
I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-23-07 adopted by said Community Zoning Appeals Board at its meeting held on the 10th day of July 2007.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16th day of July 2007.



Luis Salvat

Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning



Memorandum

Date: 09-JAN-08

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2007000069

Fire Prevention Unit:

APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped December 4, 2007 and December 19, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.

Service Impact/Demand:

Development for the above Z2007000069
located at 7600 AND 7650 S.W. 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1753 is proposed as the following:

N/A	dwelling units	N/A	square feet
residential		industrial	
37,552	square feet	N/A	square feet
Office		institutional	
N/A	square feet	N/A	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 8.26 alarms-annually.
The estimated average travel time is: 7:30 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:

Station 14 - South Miami - 5860 SW 70 Street
Rescue, BLS Engine, Battalion.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

Station 13 - East Kendall - 6000 SW 87th Avenue.

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped December 4, 2007 and December 19, 2007. Substantial changes to the plans will require additional service impact analysis.

DATE: 03/16/07

TEAM METRO

ENFORCEMENT HISTORY

MERRINECK ESTATES, LLC &
MEDICO INTERNATIONAL REALTY
HOLDINGS LLC

7600 AND 7650 S.W. 87 AVENUE,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2007000069

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No enforcement cases were found.

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
See attached Exhibit B	
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

RECEIVED
201069
MAR - 7 2007

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY: _____

If there is a **CONTRACT FOR PURCHASE** by a corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: N/A

NAME ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

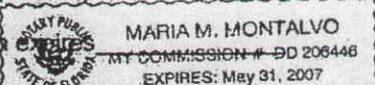
NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in his application to the best of my knowledge and belief.

Signature: Hamid Bolooki Hamid Bolooki, Managing Member and Authorized Signatory
(Applicant)

Sworn to and subscribed before me this 7 day of March, 2007. Affiant is personally known to me or has produced Known to me as identification.

Maria M. Montalvo
(Notary Public)

My commission expires  MARIA M. MONTALVO
MY COMMISSION # 90 206446
EXPIRES: May 31, 2007

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or a other country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five percent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership corporation or trust.

RECEIVED
2006
MAR - 7 2007

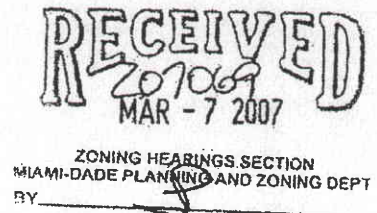
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY _____

Exhibit B

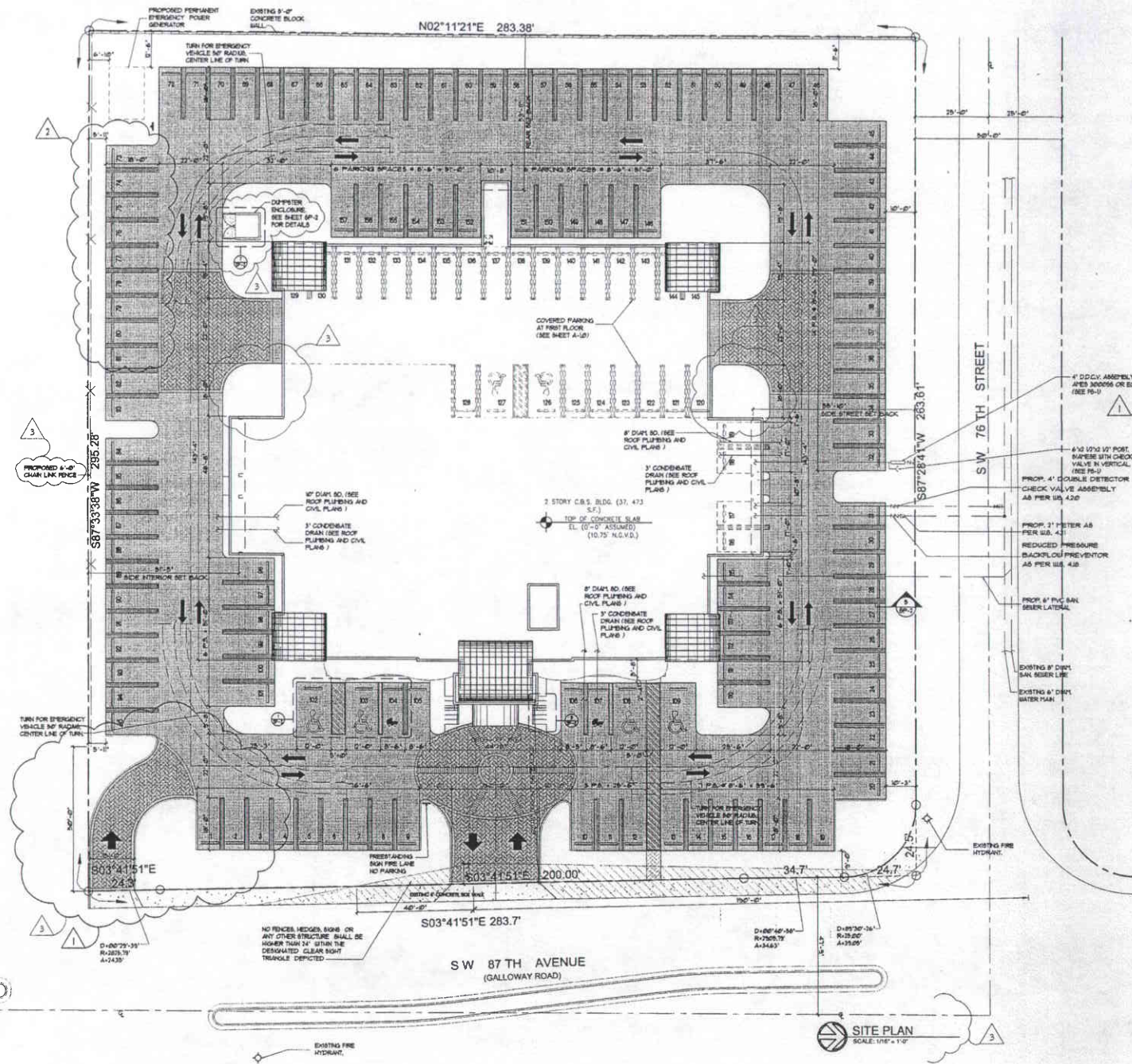
Disclosure of Interest

The following is the Disclosure of Interest for Merrineck Estates, LLC, and Medico International Realty Holdings, LLC, the property owners.

<u>Name of Interest Holder</u>	<u>Percentage Interest</u>
1. Merrineck Estates, LLC	71.85477%
Hamid Bolooki, Managing Member	
a. Galloway LandHolding, LLC	22.36274953%
Cosme Gomez	50%
Robert Puig	50%
Total	100%
b. Galloway Properties, LLC	16.10918637%
Hamid Bolooki	25%
Moises E. Hernandez	25%
José P. Ferrer	25%
Simon Behar	25%
Total	100%
c. Lucia Robla	16.10918637%
d. Margarita Fernandez	34.24580807%
e. Del Valle Family Management Co., LLC	11.17306966%
Roxana Del Valle	100%
Total	100.00000000%
2. Medico International Realty Holdings, LLC	28.14523%
Hamid Bolooki, Authorized Signatory	
a. Sara Ferrer	25.0%
b. Ana M. Hernandez	25.0%
c. Maria E. Hernandez	25.0%
d. Brenda Behar	25.0%
Total	100.0%
GRAND TOTAL	100.00000%



CONFIDENTIAL: THIS BELLON MILANÉ ARCHITECTS, P.L.L.C. DESIGN AND CONSTRUCTION OF THE GALLOWAY MEDICAL PAVILION, 87TH AVENUE, MIAMI, FLORIDA, IS THE PROPERTY OF BELLON MILANÉ ARCHITECTS, P.L.L.C. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BELLON MILANÉ ARCHITECTS, P.L.L.C. ANY VIOLATION OF THIS NOTICE SHALL BE SUBJECT TO THE PENALTIES PROVIDED IN THE FLORIDA STATUTES. THE SPECIFIC CONDITIONS OF THE CONTRACT ARE PROVIDED TO THE CLIENT AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BELLON MILANÉ ARCHITECTS, P.L.L.C. ANY VIOLATION OF THIS NOTICE SHALL BE SUBJECT TO THE PENALTIES PROVIDED IN THE FLORIDA STATUTES.



ZONING LEGEND

A- SITE DATA

1. ZONING DISTRICT

2. SITE AREA

B- SITE COMPUTATION

REQUIRED

PROVIDED

1. SITE AREA (NET LOT AREA)

N / A

82,500 S.F. (100.0 %)

2. BUILDING AREA (LOT COVERED)

(40 %)

22,804 S.F. (27.81 %)

3. PARKED AREA (W/O INTERLOCKING PAVINGS)

N / A

38,052 S.F. (44.38 %)

4. UNDEVELOPED AREA + WALKWAYS

17,899 S.F.

5. INTERLOCKING PAVINGS (MAX. 20% OF THE TOTAL OPEN SPACE)

5,124 S.F. (12.27 % OF 0.3)

6. TOTAL OPEN SPACE (MIN. REQUIRED: 20% OF NET LOT AREA)
10.57 (PARKING SPACE) = 21,815 S.F.

23,123 S.F. (28.00 %)

C- BUILDING AREAS BREAKDOWN

* THIS BUILDING IS PROTECTED WITH AUTOMATIC FIRE SPRINKLER SYSTEM.

TOWN OFFICE AREA + INT. COMMON AREA = 13,586 S.F.

DRY + STAIRS + ELEVATORS + ELECT. ROOM = 1,002 S.F.

5-TOTAL 1ST FLOOR

14,588 S.F.

3-TOTAL 2ND FLOOR

22,804 S.F.

3-TOTAL CONSTRUCTION AREA

37,392 S.F.

4-TOTAL FAR

MAXIMUM FAR FOR A 2-STORY BUILDING = 0.60 OF NET LOT AREA

Max FAR ALLOWED = 49,548 S.F. (0.60)

FAR PROVIDED = 37,392 S.F. (0.45)

D- SETBACKS

REQUIRED

PROVIDED

1. FRONT SETBACK

25'-0"

82'-11"

2. REAR SETBACK

25'-0"

55'-11"

3. SIDE STREET SETBACK

15'-0"

55'-10"

4. SIDE INTERIOR SETBACK

15'-0"

51'-8"

MAX. ALLOWED

REQUIRED

BUILDING HEIGHT

24' (TOP OF ROOF STRUCT.) 29' (TOP OF ROOF STRUCT.)

E- PARKING

REQUIRED

PROVIDED

1. REGULAR PARKING SPACE (12'-0" x 18'-0")

113

149

2. ACCESSIBLE PARKING SPACE (12'-0" x 18'-0")

6

6

3. STAIRWAYS PARKING SPACE (12'-0" x 18'-0")

2

2

4. TOTAL PARKING SPACES

121

157

5. PARKING SURPLUS

N / A

36

6. PARKING RATIO

1/300 S.F.

1/229 S.F.

ZONING ORDINANCES
MIAMI-DADE COUNTY

OFFICE PARKING SPACES

TOTAL PARKING SPACES

TOTAL REGULAR PARKING SPACES

= 36,000 S.F. / 300 =

121 PARKING SPACES REQUIRED

58 PARKING SPACES

18 BICYCLE PARKING SPACES

LEGAL DESCRIPTION
TRACT 33 LESS THE SOUTH 338.00 FEET, SECTION 33, TOWNSHIP 54 SOUTH, RANGE 40 EAST OF DASH COUNTY DEVELOPMENT COMPANY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 84 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THE NORTH-55'-00" BE AS DESCRIBED IN OFFICIAL BOOK 9451 AT PAGE 1778 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LEGEND	
[Pattern]	300 AREA SEE LANDSCAPE PLAN ON SHEET LP-1
[Pattern]	1 5/8" BRICK PAVES OVER 1/2" SAND BED ON 4" CONCRETE WALKWAY, BRICK PAVES ARRANGED IN HERRINGBONE PATTERN.
[Pattern]	CONCRETE AREA

33

Bellon Milané

architect planners

2901 S.W. 132 AVENUE

MIAMI, FLORIDA 33161

T: (305) 278-7778

F: (305) 278-7475

WWW.BELLONMILANE.COM

AA-0003505

ARCHITECTURE

LAND PLANNING

INTERIORS

CONSTRUCTION MANAGEMENT

GALLOWAY MEDICAL PAVILION

SW 76TH STREET, 87TH AVENUE

MIAMI-DADE COUNTY, FLORIDA

DATE: 05-15-06

DRAWN: A/V/CB

CHECKED: AM

PROJ. NO: 100980409

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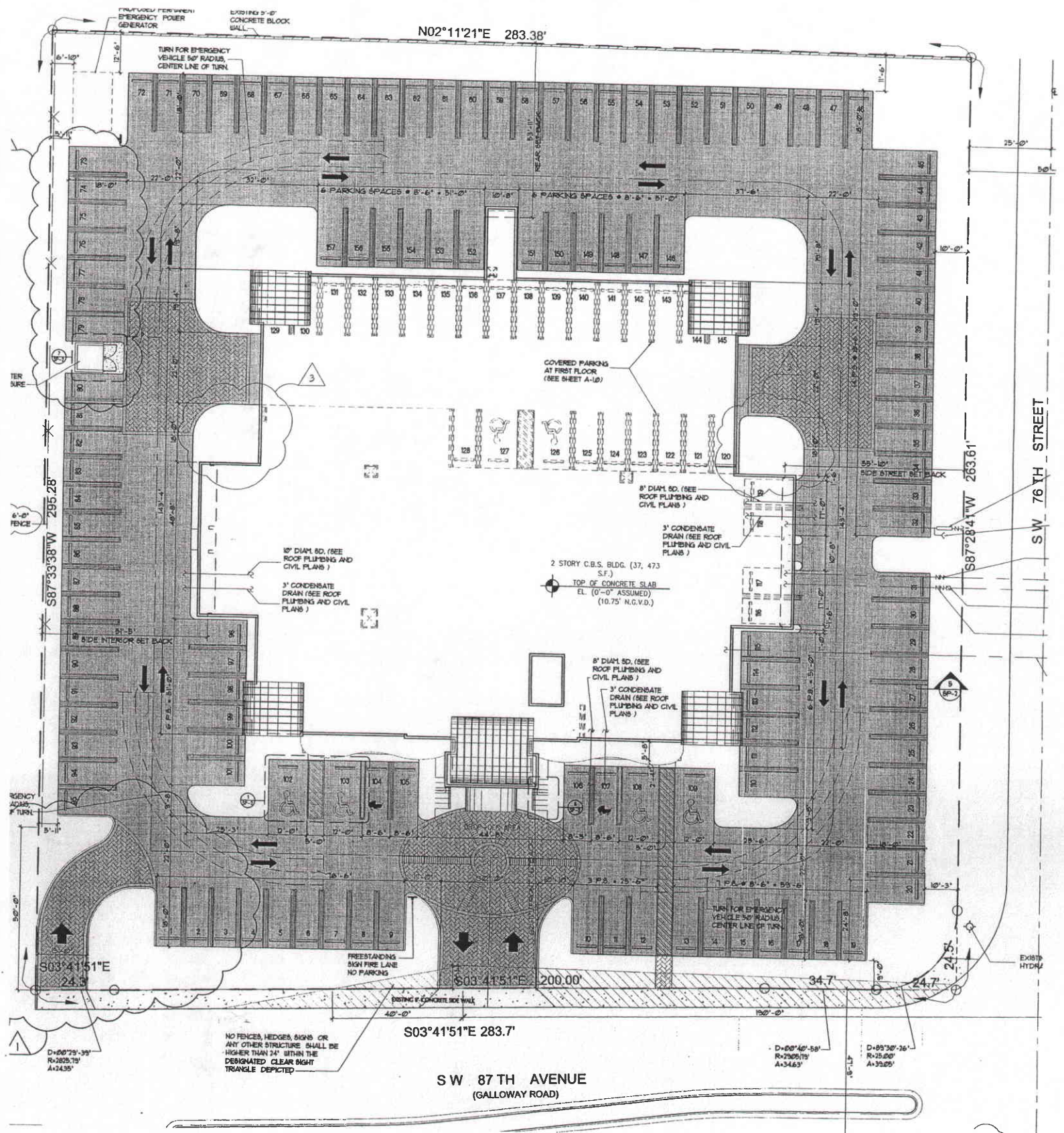
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ENLARGED SITE PLAN

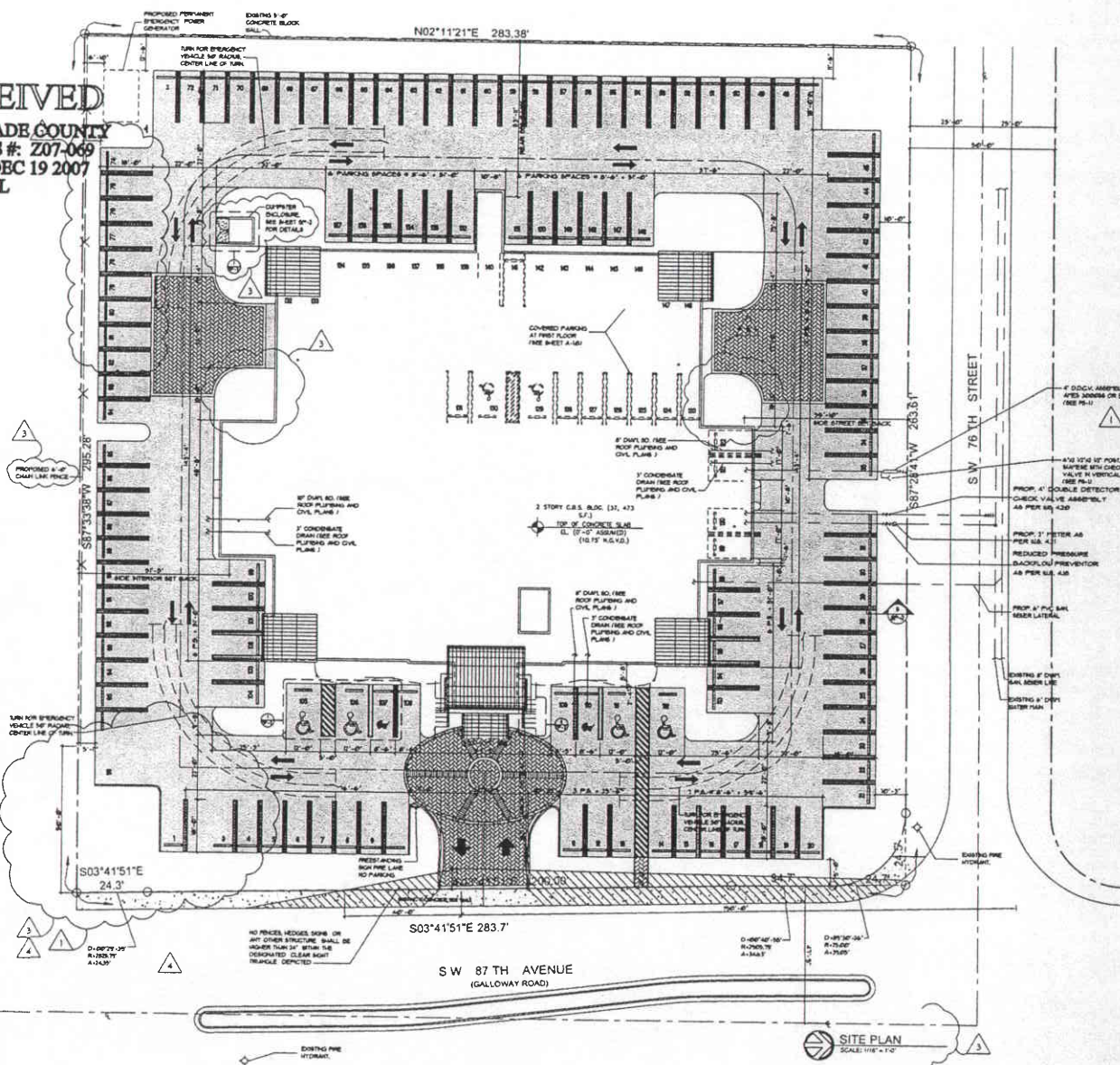
LANDSCAPING PLANT

[Signature]
1203
ANGEL MILANES, AI
AR-0015845

LP-1
OF

[Redacted]

DATE: DEC 19 2007
BY: BJL



ZONING LEGEND

A - SITE DATA

1. ZONING DISTRICT

2. SITE AREA

B - SITE COMPUTATION

3. REQUIRED

4. REQUIRED

1. SITE AREA (NET LOT AREA) N/A

2. BUILDING AREA (S.F. EXCLUDED) (40 X3)

3. PARKED AREA (V.O. INCLUDING PARKING) N/A

4. UNIMPAVED AREA + WALKWAYS

5. HORIZONTAL PARKING SPACE: 20% OF THE TOTAL SPACE

6. TOTAL OPEN SPACE - (S.F. REQUIRED 25% OF NET LOT AREA)

82,580 S.F. (1.88 ACRES)

22,804 S.F. (271.41 AC)

32,044 S.F. (44.86 AC)

18,343 S.F.

1,409 S.F. (2327 AC OF 15.5)

22,710 S.F. 27,025 AC

C - BUILDING AREA REQUIREMENTS

* THIS BUILDING IS PROJECTED TO BE AUTOMATIC FIRE SPRINKLER SYSTEM.

1. TOTAL 1ST FLOOR

2. TOTAL 2ND FLOOR

3. TOTAL CONSTRUCTION AREA

4. TOTAL F.A.R.

2ND FLOOR (S.F. MAX. CHAMBER AREA) 13,560 S.F.

ENTR + STAIRS + ELEVATORS + ELECT. ROOM 1,022 S.F.

15,582 S.F.

33,884 S.F.

37,552 S.F.

MINIMUM F.A.R. FOR A 2-STORY BUILDING = 0.80 OF NET LOT AREA

MIN. F.A.R. REQUIRED = 43,345 S.F. (0.40)

F.A.R. PROVIDED = 37,552 S.F. (0.43)

D - SETBACKS

1. FRONT SETBACK 25'-0"

2. REAR SETBACK 25'-0"

3. SIDE SETBACK 15'-0"

4. SIDE SETBACK SETBACK 15'-0"

5. SIDE SETBACK SETBACK 15'-0"

82'-11"

83'-11"

55'-10"

37'-0"

BUILDING HEIGHT

20' (TOP OF ROOF STRUCTURE) 25' (TOP OF ROOF STRUCTURE)

E - PARKING

1. REQUIRED PARKING SPACE (1.04 x 40 x 4)

2. AVAILABLE PARKING SPACE (1.04 x 40 x 4)

3. PROPOSED PARKING SPACE (1.04 x 40 x 4)

4. PARKING SPACES

5. PARKING SPACES

6. PARKING SPACES

7. PARKING SPACES

113

119

113

113

113

36

1/300 S.F.

1/278 S.F.

ZONING ORDINANCES

STATE-IDEA COUNTY

NET PARKING SPACES

SPOT SPACE AREA

MIN. PARKING SPACES




MIN. REQUIRED PARKING SPACES

10 PARKING SPACES REQUIRED

10 REQUIRED PARKING SPACES

LEGAL DESCRIPTION

TRACT 33 LESS THE SOUTH 33.60 FEET, SECTION 33, TOWNSHIP 34 SOUTH, RANGE 40 EAST OF SHOE COUNTY DEVELOPMENT COMPANY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 AT PAGE 84 OF THE PUBLIC RECORDS OF WARR-DADE COUNTY, FLORIDA, LESS AND EXCEPT THE RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL BOOK 1431 AT PAGE 1778 OF THE PUBLIC RECORDS OF WARR-DADE COUNTY, FLORIDA.

LEGEND	
	500 AREA SEE LANDSCAPE PLAN ON SHEET LP-1
	1 5/8" BRICK Pavers OVER 1/2" SAND BED ON 4" CONCRETE WALLET. BRICK Pavers ARRANGED IN HERRINGBONE PATTERN.
	CONCRETE AREA

**Bellón
Milanés**
architects
planners

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MIAMI, FLORIDA 33184

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F. (305) 278-7473
WWW.BELLONMILANES.COM
AA-0003505

ARCHITECTURE
LAND PLANNING
INTERIORS
CONSTRUCTION MANAGEMENT

GALLOWAY MEDICAL PAVILION
SW 76TH STREET, 87TH AVENUE

ALTERNATIVE

DATE: * 05-25-06

DRAWN: A.V.C.B.

CHECKED: A.V.

PROJ. NO: 2005070495

 04-01-2007 (WARNING)

 04-02-2007 (WARNING)

 5-04-2007 (WARNING)

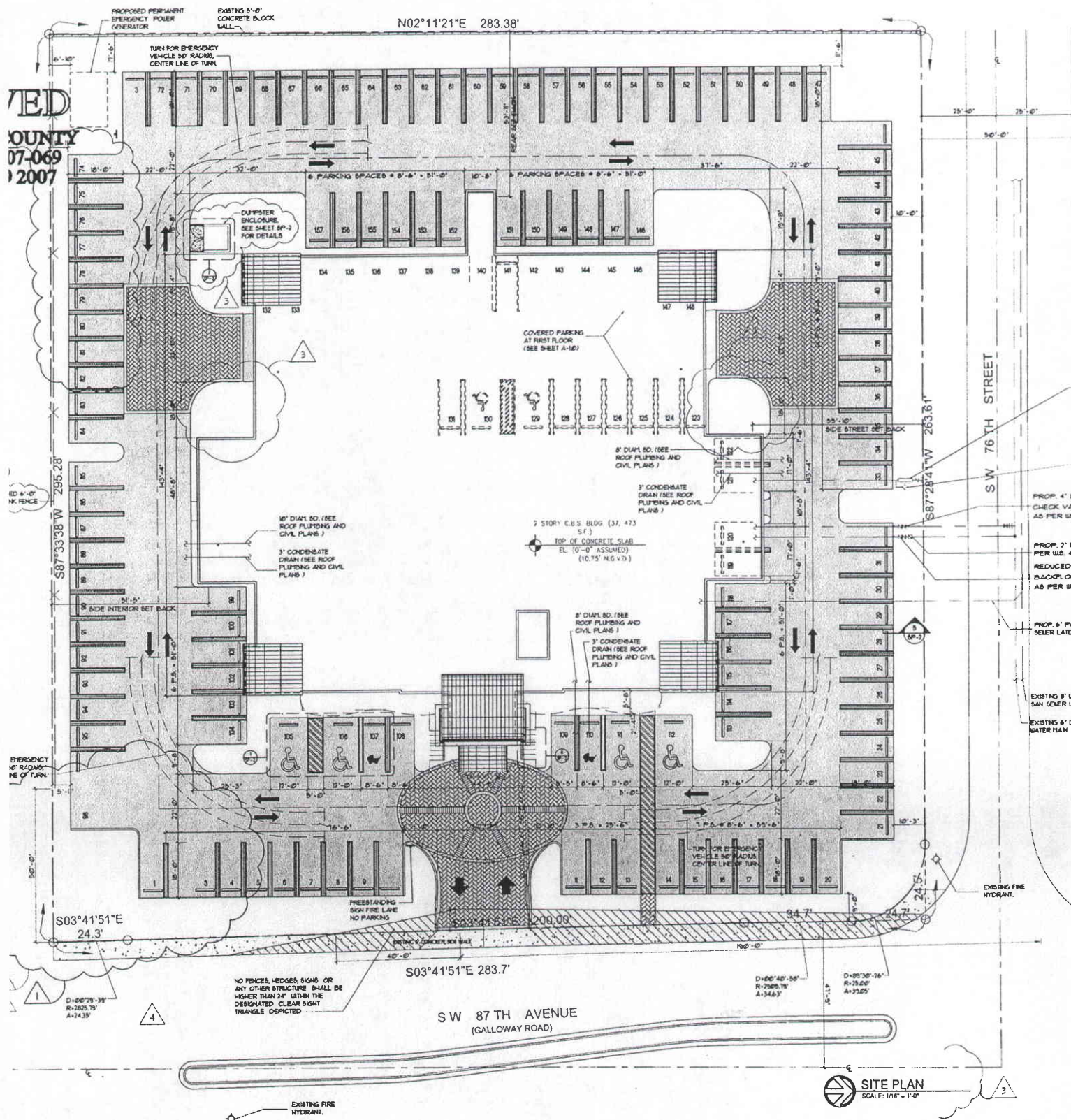
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CE: COORDINATION CHANGES
TR: JC-BUILT
IMP: REVISOR AFTER APPROVAL

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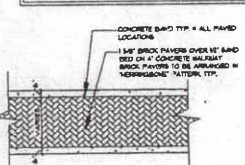
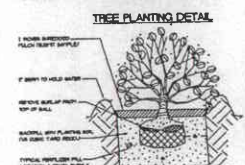
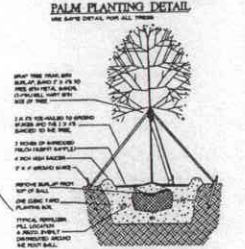
LEOPOLDO BELLON, AKA
AR-008737

ANGEL WILKES, AIA
AE-0015848

SP-1
of .



RECEIVED
MIAMI DDA
PROCESS
DATE: 11/1/81
BY: RJL

[illegible][illegible][illegible]

ARCHITECTURE
LAND PLANNING
INTERIORS
CONSTRUCTION MANAGEMENT

DATE: 05-05-06
DRAWN: A.V.C.B.
CHECKED: A.V.
PROJ. NO: 2005050405
1. 05-01-2007 (REARNS)
2. 06-01-2007 (REARNS)
3. 1-06-2007 (REARNS)
BIC: BUILDING DEPT. COMMENTS
DC: COORDINATOR CHANGES
MR: AS-BUILT
RFP: REVISION AFTER APPROVAL
4. 01-01-2007 (REARNS)

LEOPOLDO BELLON, AIA
AR-008757

ANGEL WILKES, AIA
AR-0015845

LP-1
OF

ALTERNATIVE

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NOTE

THESE DRAWINGS ARE FOR SHELL PERMIT ONLY.
 INTERIOR PARTITIONS SHOWN (WITH THE EXCEPTION OF
 CORRIDOR PARTITIONS) ARE FUTURE AND ARE BEING
 INDICATED FOR ELABORATION / DESIGN PURPOSES
 ONLY.
 INTERIOR WORK IS NOT PART OF THIS PERMIT, UNLESS
 OTHERWISE NOTED.

SECOND FLOOR PLAN

LEOPOLDO BELLON, AIA
AR-008737

ANGEL WILANES, AIA
AR-0015845

A-2.0

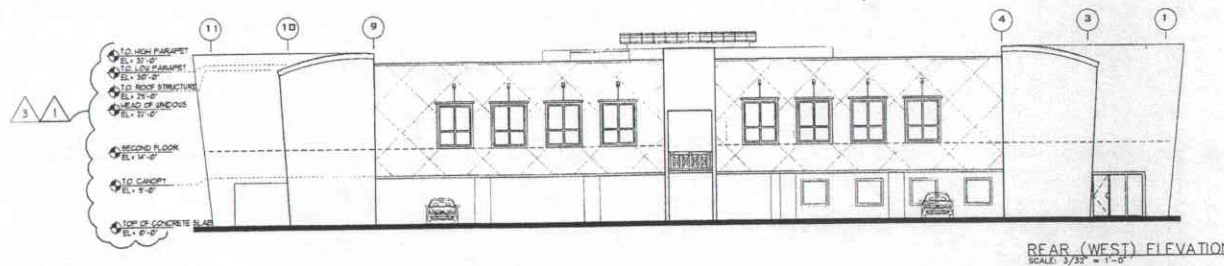
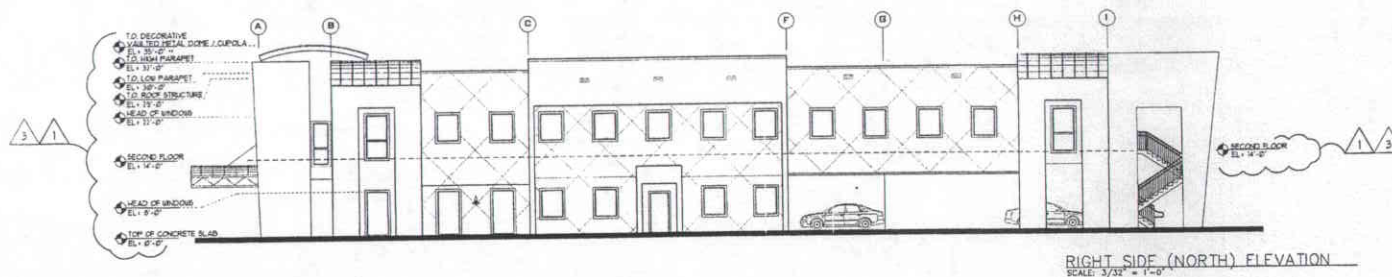
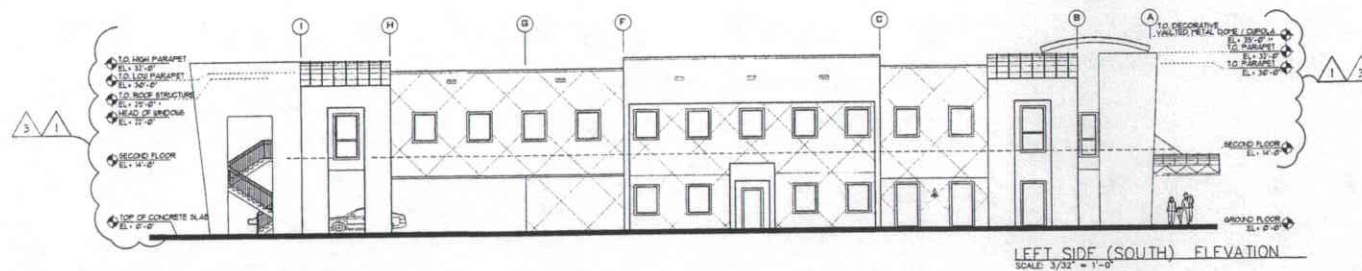
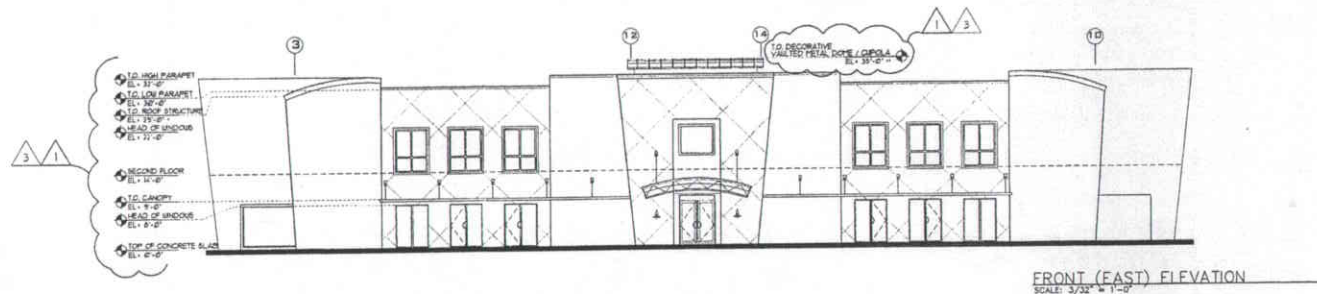
OF .

DATE: 09-15-06
DRAWN: A.V.C.B.
CHECKED: AM
PROJ. NO: 2005051405

1.
2.
3.

BDC: BUILDING DEPT. COMMENTS
CC: COORDINATION CHANGES
AB: AS-BUILT
RVP: REVISION AFTER APPROVAL

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* VARIANCE REQUIRED (T.O. ROOF STRUCTURE = 24'-0")
 ** AS PER ARTICLE 9 HEIGHT OF BUILDING, SEC. 33-50 EXEMPTIONS

Bellon Milanes
 architects
 planners

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AA-0003505

ARCHITECTURE
 LAND PLANNING
 INTERIORS
 CONSTRUCTION MANAGEMENT

GALLOWAY MEDICAL PAVILION
 SW 76TH STREET, 87TH AVENUE
 MIAMI-DADE COUNTY, FLORIDA

DATE: 05-05-06

DRAWN: AV/CB

CHECKED: ATJ

PROJ. NO: 2005020403

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05-07-2007 (REWORK)

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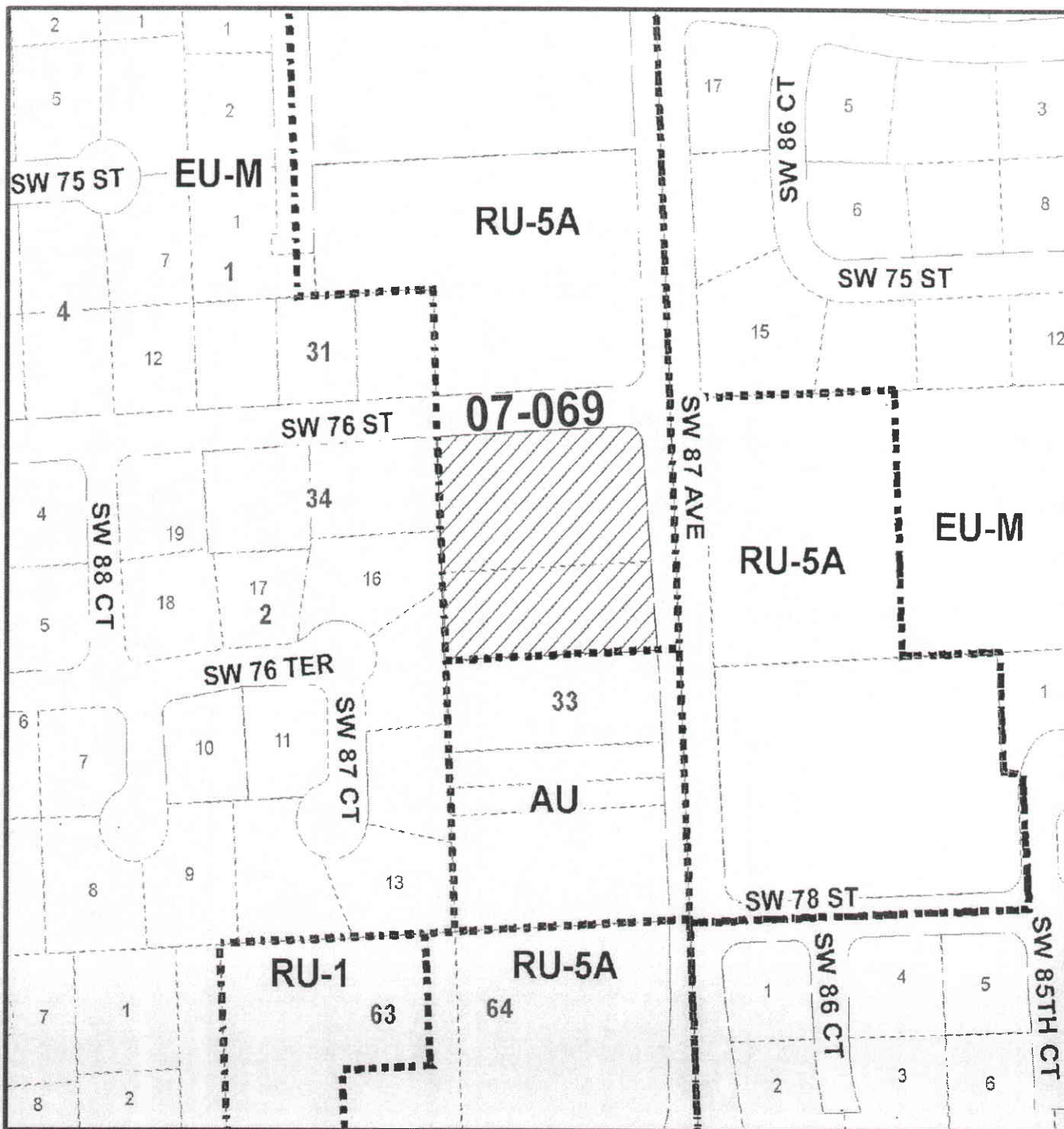
BLDG. BUILDING DEPT. COMMENTS
 CO. COORDINATION CHANGES
 AS. AS-BUILT
 IMP. REVISION AFTER APPROVAL

RECEIVED
 MAY 10 2006
 PLANNING DEPARTMENT

LEONARDO MILANES, AIA
 AS-0003505
 05/03/07
 ANGELO MILANES, AIA
 AS-0015345

EXTERIOR ELEVATIONS

A-3.0
 OF



**MIAMI-DADE COUNTY
HEARING MAP**

Section: 33 Township: 54 Range: 40

Process Number: 07-069

Applicant: MERRINECK EST., LLC & MEDICO INT. REALTY HOLDINGS LLC

Zoning Board: C12

District Number: 7

Cadastral: N'NAGBE

Scale: NTS



 **SUBJECT PROPERTY**





MIAMI-DADE COUNTY
AERIAL

Section: 33 Township: 54 Range: 40

Process Number: 07-069

Applicant: MERRINECK EST., LLC & MEDICO INT. REALTY HOLDINGS LLC

Zoning Board: C12

District Number: 7

Cadastral: N'NAGBE

Scale: NTS



SUBJECT PROPERTY



1. MERRINECK ESTATES, LLC & MEDICO
INTERNATIONAL REALTY HOLDINGS LLC
(Applicant)

07-7-CZ12-3 (07-69)
BCC/District 7
Hearing Date: 11/8/07

Property Owner (if different from applicant) **Merrineck Estates, LLC.**

Is there an option to purchase ☐/lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1980	Jacqueline & Peggy Parker	- Use variance office in AU. - Non-Use variance height. - Non-Use variance masonry wall.	ZAB	Approved w/conds.
1980	Jacqueline Parker Koger & Peggy Parker Tyn	- Use variance office in AU. - Non-Use variance height. - Non-Use variance decorative wall.	BCC	Approved w/conds.
1981	Jacqueline P. Koger	Delete condition of a previous resolution.	BCC	Approved w/conds.
1981	Jacqueline P. Koger	Delete condition of a previous resolution.	ZAB	Denied without prejudice
1985	Robert & Jacqueline Koger	- Zone change from AU to RU-5A. - Use variance plant nursery. - Non-Use variance parking and detached signs.	BCC	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANTS: Merrineck Estates L.L.C. and
Medico International Realty Holdings L.L.C.

PH: Z07-69 (07-7-CZ12-3)

SECTION: 33-54-40

DATE: November 8, 2007

COMMISSION DISTRICT: 7

ITEM NO.: 1

A. INTRODUCTION

o **REQUESTS:**

The applicants are appealing the decision of Community Zoning Appeals Board #12 which denied without prejudice the following:

(1) RU-5A to RU-5

(2) Deletion of a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847

The purpose of request #2 is to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business and to allow the development of the site in accordance with the proposed zoning.

(3) Applicant is requesting to permit parking within 25' of an official right-of-way (not permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of request #3 may be considered under §33-311 (A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Galloway Medical Pavilion," as prepared by Bellon, Milanes, Architects and Planners, dated stamped received 5/9/07 and consisting of 6 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicants are appealing the decision of Community Zoning Appeals Board #12 (CZAB-12) which denied without prejudice a request to change the zoning on the property from RU-5A, Semi-Professional Office District, to RU-5, Semi-Professional Office and Apartment District, in order to construct a proposed two-story medical office building, a request to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business, and to permit parking within 25' of the right-of-way.

o **LOCATION:** 7600 and 7650 S.W. 87 Avenue, Miami-Dade County, Florida.

o **SIZE:** 1.9 Acres

o **IMPACT:**

This application will allow the applicants to develop the site in accordance with the proposed RU-5 zoning regulations in order to provide semi-professional office services to the community. In addition, approval of the request to delete a restriction requiring the property to be used only as an architect's office, florist, sod or nursery business, will have a positive impact on the community by eliminating the more intense uses for a sod and nursery business from the site. However, the requested zone change will allow a greater height (35') than the current RU-5A zone allows (24') and the request to allow parking within 25' of the right-of-way could have a negative visual impact on the property.

B. ZONING HEARINGS HISTORY:

In 1980, a portion of the subject property was granted a use variance to permit an architect's office in the AU, Agricultural District, as would be permitted in the RU-5A, Semi-Professional Office District, in conjunction with a landscape business, and as indicated on submitted plans, a non-use variance to permit the proposed building to be of a geodesic dome design, a non-use variance of zoning regulations limiting the building height to 24' above finished grade to waive same to permit the proposed building with an overall height of 25' 9/16", as well as a non-use variance to permit a 6' high chain link fence along the interior side (south) property line to within 80' of the front (east) property line and to delete the required wall in its entirety along said 80' as indicated in the submitted plans by the Zoning Appeals Board (ZAB), pursuant to Resolution No. 4-ZAB-138-80. Said application was subsequently appealed in 1980 to the Board of County Commissioners (BCC) and the decision of the ZAB was sustained, pursuant to Resolution No. Z-175-80. In 1981, a request to delete Condition #5 of Resolution Z-175-80, that the western portion of S.W. 76 Street be restricted to no trucks, was denied without prejudice by the ZAB, pursuant to Resolution No. 4-ZAB-164-81. Said application was subsequently appealed in 1981 to the BCC which overruled the decision of the ZAB and approved the requested deletion of Condition #5 of Resolution Z-175-80 subject to conditions, pursuant to Resolution No. Z-174-81. In 1985, a district boundary change from AU, Agricultural District, to RU-5A, Semi-Professional Office District, a use variance to permit the maintenance and continued use of an existing sod business and florist shop on Parcel "A" (northern portion of subject property), a use variance to permit the maintenance and continued use of a plant nursery on Parcel "B" (southern portion of subject property) as well as a deletion of Condition #1 of Resolution Z-174-81, that the southbound driveway on SW 87 Avenue at the intersection of SW 76 Street be widened to 45 feet was granted by the BCC, pursuant to Resolution No. Z-42-85. In addition, aforementioned application also included the following non-use variances to permit the existing plant nursery to be operated from 5 open Quonset huts (Parcel B), to permit 6 parking spaces to be on turf blocks (hard surface required), to permit maintenance and continued use of a 32 sq. ft. detached sign and a proposed 72 sq. ft. detached sign (none permitted) as well as a request to permit a proposed 6' high chain link fence in lieu of the required 5' high wall along the south property line, were also granted by the BCC pursuant to Resolution No. Z-42-85. A Declaration of Restrictions was proffered in conjunction with said Resolution, which among other things, restricted the subject property to the uses presently on said property for an architectural office (RU-5A), florist, sod and nursery business and that no other use of said property shall be permitted. Furthermore, said Declaration of Restrictions also required that the applicant erect and maintain a row of Areca Palms at least as high as the west wall of Parcels A and B of the

subject property on the west side of said wall at the request of any owner of property which abuts the west wall of Parcels A and B (subject property).

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Office/Residential**. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

<u>ZONING</u>	<u>LAND USE PLAN DESIGNATION</u>
<u>Subject Property:</u>	
RU-5A; vacant	Office/Residential
<u>Surrounding Properties:</u>	
<u>NORTH:</u> RU-5A; Office building	Office/Residential
<u>SOUTH:</u> AU; Nursery	Office/Residential
<u>EAST:</u> RU-5A; Retail produce market	Office/Residential

WEST: EU-M; Single-family residences
and vacant land

Low Density Residential

The subject property is a corner lot located at 7600 and 7650 SW 87 Avenue, in an area characterized by semi-professional offices, a retail produce market, a nursery, and single-family homes.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plans submitted.)
Scale/Utilization of Site:	Acceptable*
Location of Buildings:	Acceptable
Compatibility:	Acceptable*
Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable*
Parking Layout/Circulation:	Acceptable
Visibility/Visual Screening:	Acceptable
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change**, **Section 33-311** provides that the Board take into consideration, among other factors, the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary

public facilities which have been constructed or planned and budgeted for construction;

- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof, which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the following paragraphs have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDT	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

On July 10, 2007, the Community Zoning Appeals Board – 12 (CZAB-12) denied this application without prejudice, by a vote of 4 to 0, pursuant to Resolution #CZAB12-23-07. On July 27, 2007, the applicant appealed the CZAB-12's decision to the Board of County Commissioners (BCC) citing that the Board's decision to deny the application was not based on substantial competent evidence introduced on the record. The subject property is a corner lot located at 7600 and 7650 SW 87 Avenue, in an area characterized by semi-professional offices, a retail produce market, a nursery, and single-family homes. The 1.9-acre subject site is currently undergoing demolition of a two-story geodesic dome structure located in the northern portion of the subject property and an aluminum Quonset hut located in the southern portion of the lot. The applicants seek to change the zoning on the subject property from RU-5A, Semi-Professional Office District, to RU-5, Semi-Professional Office and Apartment District (request #1). Additionally, the applicants seek to delete a Declaration of Restrictions in order to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business (request #2). Furthermore, the applicants seek to permit parking within 25' of an official right-of-way (none permitted) (request #3). RU-5 uses include, but are not limited to, office buildings for accountants, architects, attorneys, dentists, medical doctors, notary publics, real estate, and travel agencies, as well as banks without drive-in teller facilities. The applicants have voluntarily proffered a covenant to prohibit residential uses on the subject property and restrict development of the site to the submitted plans. Plans submitted by the applicants depict the subject site to be developed for a proposed two-story medical office building that exceeds the maximum 24' height limitation in the current RU-5A zoning district but, with a maximum height of 35', conforms to the maximum height allowed (35') in the requested RU-5 zoning district. Submitted plans also depict a landscape buffer that

features, among other things, Gumbo Limbo, Geiger, Pigeon Plum, and Green Buttonwood Trees as well as a various shrubs along the perimeter of the site. Moreover, submitted plans also depict an existing 5' concrete block wall along the western and southern property lines. In addition, staff notes that the submitted plans indicate that the applicants have provided a surplus of 40 parking spaces yielding a total of 163 where 123 parking spaces are required. As indicated in the submitted plans, the proposed parking areas are located along the perimeter of the site, accessed by a two-way circular drive with ingress/egress access provided at SW 87 Avenue and SW 76 Street.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all DERM requirements as indicated in their memorandum for this application. The **Public Works Department** has **no objections** to this application. Their memorandum indicates that the driveway to SW 87 Avenue must meet current F.D.O.T. access management requirements. Additionally, their memorandum indicates that this application will generate **123** additional PM daily peak hour **vehicle trips**, however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways which are currently operating at LOS "C" and "E". Furthermore, said memorandum indicates that the subject property requires platting in accordance with Chapter 28 of the Code of Miami-Dade County and road dedications and improvements will be accomplished through the recording of a plat. The **Miami-Dade Fire Rescue Department (MDFR)** also has **no objections** to this application.

Approval of the district boundary change will allow the applicants to provide semi-professional office services for the community. This area is designated for **Office/Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, zoned, or Plan-designated adjoining or adjacent residential uses. The CDMP also indicates that office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office. Other factors that will be considered in determining compatibility include, but are not limited to, traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Staff is of the opinion that the site plan submitted would not have an unfavorable effect on the surrounding area. The subject property abuts single-family residences developed under the EU-M zoning requirements to the west, and staff is of the opinion that the applicants have designed the proposed office site with sensitivity to same. The plans submitted for this application depict a 12'6" to 11'6" wide landscape buffer that features Gumbo Limbo, Geiger, Pigeon Plum, and Green Buttonwood Trees as well as various shrubs along the rear (western) property line. Moreover, as previously mentioned, the submitted plans also depict an existing 5' concrete block wall along the western and southern property lines. Staff is of the opinion that the landscape buffer and existing 5' concrete block wall will effectively mitigate any negative visual or aural impacts the proposed development may have on the abutting EU-M, Modified Estate District, zoned single-family residences to the west of the subject property. In addition, as previously mentioned, staff notes that the submitted plans indicate that the applicants have provided a surplus of 40 parking spaces

yielding a total of 163 parking spaces for the site. As such, staff opines that adequate on-site parking has been provided. The CDMP also indicates that the maximum scale and intensity, including height and floor area ratio of office development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. The proposed office building will be surrounded by an existing RU-5A zoned office building to the north, a retail produce market also zoned RU-5A to the east, single-family homes zoned EU-M to the west and a plant nursery zoned AU, Agricultural District, to the south. The RU-5A zoning district allows a maximum building height of two-stories; however, the height shall not exceed 24 feet above finished grade. As previously mentioned, plans submitted by the applicants depict the subject site to be developed for a proposed two-story medical office building that exceeds the maximum 24' height limitation of the RU-5A zoning district but, at a maximum height of 35', conforms to the 35' height limitation in the requested RU-5 zoning district. The proposed 2-story office building with a maximum height of 35' is, in staff's opinion, compatible with the area. Staff notes that two-stories and 35' maximum height is allowed in the EU-M and AU zones that abut the subject property to the west and south. Staff, therefore, is of the opinion that the proposed 2-story, 35' high medical office building is **compatible** with the height permitted in the surrounding area and consistent with the CDMP. As previously mentioned, the applicants have voluntarily proffered a covenant to prohibit residential uses on the subject property and to restrict the development of the site to the submitted plans. Based on the aforementioned, the proposed RU-5 rezoning is **consistent** with the CDMP and, in staff's opinion, **compatible** with the area.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration whether the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider whether the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. The applicant is seeking approval for a district boundary change from RU-5A, Semi-Professional Offices District, to RU-5, Semi-Professional Offices and Apartments District, with the intention of constructing a two-story medical office building with a maximum height of 35'. As previously mentioned, staff concludes that the proposed development would be **consistent** with the LUP Map designation and the interpretative text of the CDMP and opines that it would be **compatible** with the surrounding area. Staff notes that the proposed office use will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Further, the Public Works Department has no objection to this application, and indicates that the additional 123 PM daily peak hour vehicle trips generated by this application will not exceed the acceptable level of service of the surrounding roadways. Furthermore, staff, opines that the placement of the proposed medical office use on the subject property is well suited, as indicated on the submitted plans, along SW 87 Avenue, since said roadway is a well traveled section-line roadway. As previously mentioned, the submitted

plans indicate the proposed parking areas are to be located along the perimeter of the site and accessed via a two-way circular drive with ingress/egress access provided at SW 87 Avenue and SW 76 Street. As proposed, the design is sufficient in providing the required parking needed for the proposed office use and the surplus parking provided by the applicant. Moreover, as previously mentioned, the applicants have voluntarily proffered a covenant to prohibit residential uses on the subject property and to restrict the development of the site to the submitted plans. Therefore, staff opines that the proposed RU-5 zoning would be **compatible** with the surrounding area.

When request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the deletion of a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847, will not generate excessive noise or traffic, provoke excessive overcrowding of people, or tend to provoke a nuisance, and will not be contrary to the public interest. As previously mentioned, said Declaration of Restrictions was proffered in conjunction with Resolution No. Z-42-85 and restricts the uses permitted on the subject property to an architectural office, florist, sod and nursery business and further stipulates that no other use of said property shall be permitted. Furthermore, said Declaration of Restrictions also required that the applicant erect and maintain a row of Areca Palms at least as high as the west wall of Parcels A and B (subject property) on the west side of said wall at the request of any owner of property which abuts the west wall of Parcels A and B (subject property). As previously mentioned, the 1.9-acre subject site is currently undergoing demolition of a two-story dome structure located in the northern portion of the subject property and a screened Quonset hut located in the southern portion of the lot which were utilized in conjunction with the previously approved architectural office, florist and sod and nursery business. The revised plans submitted by the applicants depict the subject site to be developed for a proposed medical office building which staff opines is less objectionable than the prior sod and nursery business which necessitated frequent ingress and egress of trucks onto the subject property. In addition, as previously mentioned, staff is of the opinion the 12'6" to 11'6" wide landscape buffer and existing 5' concrete block wall, as depicted on the submitted plans, will effectively mitigate any negative visual or aural impacts the proposed development may have on the abutting EU-M zoned single-family residences to the west of the subject property. Furthermore, the memorandum issued by the Public Works Department indicates that the 123 additional PM daily peak hour vehicle trips generated by this application will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways. Therefore staff opines that the proposed deletion of the Declaration of Use will not generate excessive traffic. Based on all the aforementioned, staff recommends approval with conditions of request #2 under Section 33-311(A)(7).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicants have not submitted documentation to indicate which modification or elimination standards are applicable to the requests. Due to the lack of information, staff is unable to analyze request #2 under said standards and as such, request #2 should be denied without prejudice under Section 33-311(A)(17).

When requests #3 is analysed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the request does maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the surrounding area. Request #3, to permit parking within 25' of an official right-of-way (not permitted), would not have an adverse effect on the stability and appearance of the community. As previously mentioned, the submitted plans depict the proposed parking areas to be located along the perimeter of the site, accessed by a two-way circular drive with ingress/egress provided at SW 87 Avenue and SW 76 Street. The applicants have provided a surplus of 40 parking spaces, which exceeds the requirement of 123 parking spaces. As such, staff opines that more than adequate on-site parking has been provided and that the parking to be located within 25' of the right-of-ways will not cause auto spillage into the streets and will not, therefore, have a negative effect on the area. Furthermore, as previously mentioned, staff notes that the **Public Works Department** has no objections to this application. Therefore, based on the aforementioned, staff recommends approval with conditions of request #3 under Section 33-311(A)(4)(b).

When request #3 is analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicants would have to prove that the request is due to an unnecessary hardship and that, should the request not be granted, such denial would not permit the reasonable use of the premises. Since the applicants have not proven that compliance with same would result in an unnecessary hardship and the subject property can be utilized in accordance with the zoning regulations and with previous zoning approvals, staff is, therefore, of the opinion that request #3 cannot be approved under the ANUV Standards and should be denied without prejudice under Section 33-311(A)(4)(c) (ANUV).

Based on all of the aforementioned, staff is of the opinion that, subject to the Board's acceptance of the proffered covenant, the proposed RU-5 rezoning would be **compatible** with the surrounding area and **consistent** with the provisions found within the interpretative text of the CDMP. As such, staff recommends approval of the appeal and approval of the zone change from RU-5A to RU-5, subject to the Board's acceptance of the proffered covenant (request #1), approval with conditions of request #2 under Section 33-311(A)(7) and denial without prejudice of same under Section 33-311(A)(17), and approval with conditions of request #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval of the appeal and approval of the zone change to RU-5, subject to the Board's acceptance of the proffered covenant; approval with conditions of request #2 under Section 33-311(A)(7) and denial without prejudice of same under Section 33-311(A)(17); approval with conditions of request #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

J. CONDITIONS: For requests #2 and #3 only.

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include, but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Galloway Medical Pavilion," as prepared by Bellon, Milanes, Architects and Planners, dated stamped received 5/9/07 and consisting of 6 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained within this report.

DATE INSPECTED: 05/31/07
DATE TYPED: 06/07/07
DATE REVISED: 06/13/07; 06/21/07; 06/22/07; 06/27/07; 07/03/07; 10/01/07;
10/04/07; 10/25/07
DATE FINALIZED: 10/25/07
SB:AJT:MTF:LVT:JV:NC



Subrata Basu, Interim Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



Date: March 27, 2007

To: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

Subject: C-12 #Z20070 00069
Merrineck Estates, LLC, and Medico International Realty Holdings, LLC
7600 and 7650 S.W. 87th Avenue
Modification of a Previously Approved Site Plan in Resolution Z-42-85 and
Deletion of a Declaration of Restrictions
(RU-5A) (1.90 Acres)
33-54-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Wellfield Protection

The subject property is located within the basic wellfield protection area for the Alexander Orr Wellfield. The site is situated within the 30-day travel time contour of the said wellfield. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code.

Since the subject request involves a nonresidential land use, or a zoning category that permits a variety of nonresidential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Section 24-43 (4)(b) of the Code provides that the maximum allowable sewage loading, for property not having indigenous sandy soil substrata, and located within the 30-day travel time contour of the basic wellfield protection area of any public utility potable water supply well, shall not exceed 1600 gallons per day per acre.

The applicant proposes to utilize the subject property as a medical office building. The applicant is advised that DERM approval of subsequent development orders shall be contingent upon verification that the proposed future tenants are in compliance with the restrictions of the existing covenant running with the land and with the above-mentioned sewage loading requirements.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards, as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards, subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted, if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted, in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

Section 24-43 of the Code also regulates stormwater disposal methods within public water supply wellfield protection areas. The Code requires that all stormwater runoff shall be retained on-site utilizing only infiltration or seepage type drainage systems on that part of the wellfield protection area that is beyond the 30-day travel time contour and infiltration only for that part comprehended between 100 feet from the wells to the 10-day travel time contour. The Code prohibits the disposal of stormwater within 100 feet of the wells. Accordingly, all stormwater collected within this area shall be diverted from the same via concrete swale. Oil and grease interceptors will be required at all catch basins preceding the exfiltration systems.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that, due to the nature of activities inherent to the proposed land use, operating permits from DERM may be required. It is, therefore, suggested that the applicant contact DERM concerning operating requirements.

Air Quality Preservation

According to departmental records, the applicant has filed the required paperwork for the nursery demolition.

Wetlands

The subject property does not contain jurisdictional wetlands, as defined in Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

According to the site plan submitted along with the zoning application, specimen-sized tree(s) (trunk diameter 18 inches or greater) will be impacted. Section 24-49.2 of the Code requires preservation of specimen trees whenever reasonably possible. Prior to the removal or relocation of any tree on-site, which is subject to the Tree Preservation and Protection provisions of the Code, a Miami-Dade County Tree Removal Permit, which meets the requirements of Sections 24-49.2 and 24-49.4 of the Code, is required. Be advised that, pursuant to Section 24-49.2(II)(1) of the Code, evaluation of permit applications for the removal of specimen trees include, but is not limited to, factors such as size and configuration of the property, as well as any proposed development, location of tree(s) relative to any proposed development, and whether or not the tree(s) can be preserved under the proposed plan or any alternative plan.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History

DERM has found the following closed enforcement case for the subject property:

Jackie's Parker Sod
Folio 30-4033-001-0540:

DERM has file #UT-1377. There is record of a closed enforcement case for failure to have secondary containment on the underground storage tanks. Notices were issued September 20, 1990, December 19, 1990, and April 2, 1991, and the case was subsequently closed with the removal of the underground storage tanks on October 13, 1991.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMF for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency, subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

cc: Lynne Talleda, Zoning Evaluation - P&Z
Ron Connally, Zoning Hearings - P&Z
Franklin Gutierrez, Zoning Agenda Coordinator - P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MERRINECK ESTATES, LLC & MEDICO INTERNATIONAL
REALTY HOLDINGS LLC

This Department has no objections to this application.

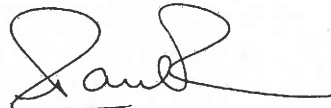
Driveway to SW 87 Avenue must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

This land may require platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 123 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-1075	SW 87 Ave. s/o SW 56 St.	C	C
F-1068	SW 72 St. w/o Palmetto Expwy.	C	C
F-1076	SW 87 Ave. n/o SW 85 St.	C	C
F-68	SW 72 St. e/o SW 107 Ave.	E	E

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

08-MAY-07

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY CIAL AMOUNT OF FEE \$1,505.76

RECEIPT # L200723407

DATE HEARD July 10, 2007

BY CZAB # 12

207-069
RECEIVED
JUL 27 2007

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY CIAL
DATE RECEIVED STAMP

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal"
and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must
be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z2007000069

Filed in the name of (Applicant) Merrineck Estates, LLC & Medico International
Realty Holdings, LLC

Name of Appellant, if other than applicant n/a

Address/location of APPELLANT'S property: 7600 & 7650 SW 87 Avenue

Application, or part of Application being Appealed (Explanation): Entire Appealable Application

Appellant (name): Merrineck Estates, LLC & Medico International Realty Holdings, LLC
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with
reference to the above subject matter, and in accordance with the provisions contained in
Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board
of County Commissioners for review of said decision. The grounds and reasons supporting the
reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

The Community Zoning Appeals Board did not base its decision on substantial competent
evidence in the record.

APPELLANT MUST SIGN THIS PAGE

Date 25th day of July, year: 2007

Signed _____

Hamid Bolooki, Managing Member of Merrineck
Estates, LLC, and authorized signatory for Medico
International Realty Holdings, LLC

Print Name

351 NW LEWIS RD #600

Mailing Address

MIAMI FL 33126

City

State

Zip

305-643-5040

Phone

305-643-0068

Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an
association or other entity, so indicate:

Representing

Signature

Print Name

Address

City

State

Zip

Telephone Number

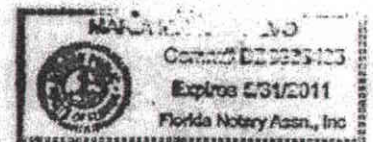
Subscribed and Sworn to before me on the 25 day of July, year 2007

Marin M. Montalvo

Notary Public

(stamp/seal)

Commission Expires:



Comm. # DD0668485

APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me the undersigned authority, personally appeared Hamid Bolooki, Managing Member of Merrineck Estates, LLC, and authorized signatory for Medico International Realty Holdings, LLC (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing
☒ 2. Original Applicant
☐ 3. Written objection, waiver or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Maria M. Montalvo
Signature

MARIA M. MONTALVO
Print Name

[Signature]
Signature

CYRUS A. BOLOOKI
Print Name

Hamid Bolooki
Appellant's Signature

HAMID BOLOOKI
Print Name

Sworn to and subscribed before me on the 25 day of July year 2007.

Appellant is personally know to me or has produced _____ as identification.

Maria M. Montalvo
Notary Public

(stamp/seal)

Commission Expires:



Comm. # DD068485

RESOLUTION NO. CZAB12-23-07

WHEREAS, MERRINECK ESTATES L. L. C. & MEDICO INTERNATIONAL REALTY

HOLDINGS L. L. C. applied for the following:

- (1) RU-5A to RU-5
- (2) DELETION of a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847.

The purpose of request #2 is to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business and to allow the development of the site in accordance with the proposed zoning.

- (3) Applicant is requesting to permit parking within 25' of an official right-of-way (none permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of request #3 may be considered under §33-311 (A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Galloway Medical Pavilion," as prepared by Bellon, Milanes, Architects and Planners, dated stamped received 5/9/07 and consisting of 6 sheets.

SUBJECT PROPERTY: PARCEL "A": Tract 33 of DADE COUNTY DEVELOPMENT CO. SUBDIVISION, Plat book 1, Page 84 in Section 33, Township 54 South, Range 40 East, less the south 450' and less the right-of-way, Official Record Book 9451, Page 1178. AND: PARCEL "B": The north 111' of the south 450' of Tract 33 of DADE COUNTY DEVELOPMENT CO. SUBDIVISION, Plat book 1, Page 84 in Section 33, Township 54 South, Range 40 East, Plat book 1, Page 84.

LOCATION: 7600 and 7650 S.W. 87 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-5 (Item #1), and

the requests to delete a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847 (Item #2), and to permit parking within 25' of an official right-of-way (Item #3) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny the application without prejudice was offered by Elliot N. Zack, seconded by Jose I. Valdes, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Jose I. Valdes	aye
Edward D. Levinson	absent	Robert W. Wilcosky	absent
Alberto Santana	absent	Elliot N. Zack	aye
Carla Ascencio-Savola	aye		

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to RU-5 (Item #1), and the requests to delete a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847 (Item #2), and to permit parking within 25' of an official right-of-way (Item #3) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 10th day of July 2007.

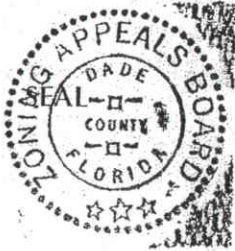
Hearing No. 07-7-CZ12-3
Is

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-23-07 adopted by said Community Zoning Appeals Board at its meeting held on the 10th day of July 2007.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 16th day of July 2007.



Luis Salvat

Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning



Memorandum

Date: 01-OCT-07

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2007000069

Fire Prevention Unit:

APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped March 7, 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2007000069
located at 7600 AND 7650 S.W. 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1753 is proposed as the following:

N/A	dwelling units	N/A	square feet
residential		Industrial	
37,473	square feet	N/A	square feet
Office		institutional	
N/A	square feet	N/A	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 7.86 alarms-annually.
The estimated average travel time is: 7:30 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Rescue, BLS Engine, Battalion. Station 14 - South Miami - 5860 SW 70 Street

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
Station 13 - East Kendall - 6000 SW 87 Avenue

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped March 7, 2007. Substantial changes to the plans will require additional service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

MERRINECK ESTATES, LLC &
MEDICO INTERNATIONAL REALTY
HOLDINGS LLC

7600 AND 7650 S.W. 87 AVENUE,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2007000069

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No enforcement cases were found.

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
See attached Exhibit B	
_____	_____
_____	_____
_____	_____
_____	_____

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

RECEIVED
201069
MAR - 7 2007

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

If there is a **CONTRACT FOR PURCHASE** by a corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: N/A

NAME ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in his application to the best of my knowledge and belief.

Signature: Hamid Bolooki Hamid Bolooki, Managing Member and Authorized Signatory
(Applicant)

Sworn to and subscribed before me this 7 day of March 2007. Affiant is personally known to me or has produced Known to me as identification.

Maria M. Montalvo
(Notary Public)

My commission expires May 31, 2007
MARIA M. MONTALVO
MY COMMISSION # 90 206446
EXPIRES: May 31, 2007

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or a other country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five percent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership corporation or trust.

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MAR - 7 2007

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT
BY _____

Exhibit B

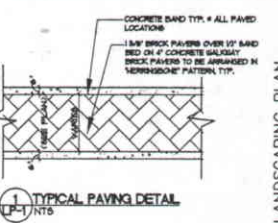
Disclosure of Interest

The following is the Disclosure of Interest for Merrineck Estates, LLC, and Medico International Realty Holdings, LLC, the property owners.

<u>Name of Interest Holder</u>	<u>Percentage Interest</u>
1. Merrineck Estates, LLC	71.85477%
Hamid Bolooki, Managing Member	
a. Galloway LandHolding, LLC	22.36274953%
Cosme Gomez	50%
Robert Puig	50%
Total	100%
b. Galloway Properties, LLC	16.10918637%
Hamid Bolooki	25%
Moises E. Hernandez	25%
Jose P. Ferrer	25%
Simon Behar	25%
Total	100%
c. Lucia Robla	16.10918637%
d. Margarita Fernandez	34.24580807%
e. Del Valle Family Management Co., LLC	11.17306966%
Roxana Del Valle	100%
Total	100.00000000%
2. Medico International Realty Holdings, LLC	28.14523%
Hamid Bolooki, Authorized Signatory	
a. Sara Ferrer	25.0%
b. Ana M. Hernandez	25.0%
c. Maria E. Hernandez	25.0%
d. Brenda Behar	25.0%
Total	100.0%
GRAND TOTAL	100.00000%

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201009
MAR - 7 2007



ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY J





LP-1
OF . . .


GROUND FLOOR PLAN
SCALE 3/32" = 1'-0"

WALL LEGEND


 DENOTES REINFORCED MASONRY BEARING BLOCK WALL (PART OF THIS PERMIT)

 DENOTES FUTURE 1/2" FIRE RATED TIGHT SEPARATION WALL (NOT PART OF THIS PERMIT)


 CHOWLES 1/8" FIRE RATED PARTITION WALL DESIGN (BASED ON 25 GAUGE CHANNEL SHAPE 3/8" STUDS 24" O.C. WITH 1" TYPE "X" 5/8" OPFIMUM WALLBOARD APPLIED VERTICALLY ATTACHED WITH 17" LONG N.B. 1/2" LATCH LAYER OF OPTIMUM SCREWS TO EACH SIDE. SCREWS ARE 18" O.C. ALONG THE PERIMETER AND 12" O.C. ALONG THE INTERMEDIATE STUD.


 PARTITION NO. 25 GAUGE CHANNEL SHAPE 3/8" STUDS 14" O.C. WITH ONE FULL 5/8" OPFIMUM WALLBOARD APPLIED VERTICALLY ATTACHED WITH 17" LONG N.B. 1/2" LATCH LAYER OF OPTIMUM SCREWS TO EACH SIDE. SCREWS ARE 18" O.C. ALONG THE PERIMETER AND 12" O.C. ALONG THE INTERMEDIATE STUD.

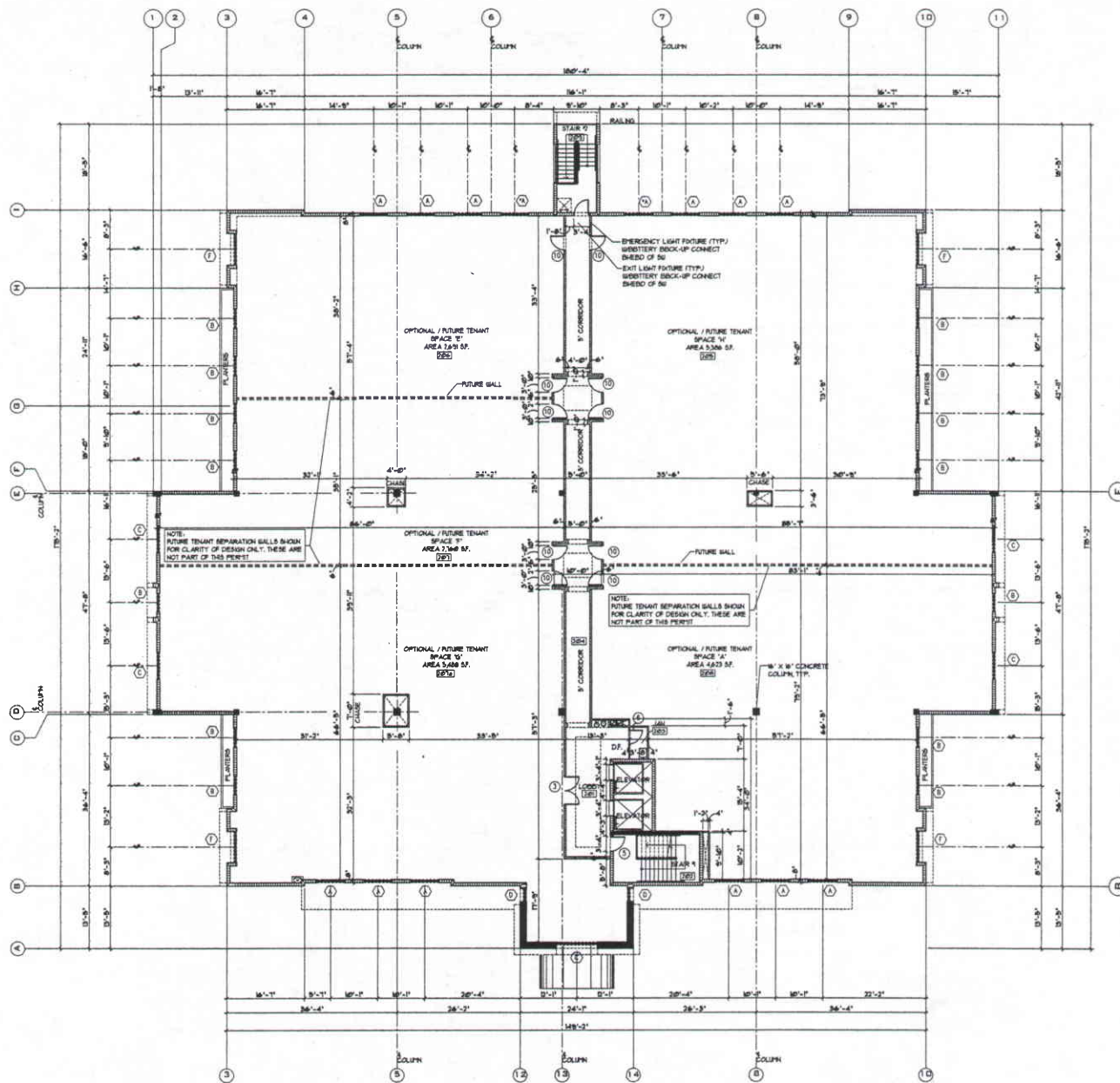

 CONCRETE COLUMN - SEE STRUCTURAL DRAWINGS

GALLOWAY MEDICAL PAVILION
SW 76TH STREET, 87TH AVENUE

OF .

GROUND FLOOR PLAN

COPYRIGHT 1998, BELLON-MILANES ARCHITECTS, P.L.L.C. All items, designs, arrangements and plans indicated on this drawing are the property of BELLON-MILANES ARCHITECTS, P.L.L.C. and are not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of BELLON-MILANES ARCHITECTS, P.L.L.C. This drawing is to be used for the project and site indicated on the title block and is not to be used for any other project or site without the prior written permission of BELLON-MILANES ARCHITECTS, P.L.L.C. This drawing is to be used for the project and site indicated on the title block and is not to be used for any other project or site without the prior written permission of BELLON-MILANES ARCHITECTS, P.L.L.C. This drawing is to be used for the project and site indicated on the title block and is not to be used for any other project or site without the prior written permission of BELLON-MILANES ARCHITECTS, P.L.L.C.



SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"

WALL LEGEND

- DENOTES 4" REINFORCED MASONRY BEARING BLOCK WALL (PART OF THIS PERMIT)
- DENOTES FUTURE 1 HR FIRE RATED TENANT SEPARATION WALL (NOT PART OF THIS PERMIT)
- DENOTES 1 HR FIRE RATED PARTITION WALL, BESON (HAB) NO. 25 GAUGE CHANNEL, SHAPE 3-5/8" STUDS 24" O.C. WITH ONE (1) LAYER OF 5/8" GYPSUM WALLBOARD APPLIED VERTICALLY ATTACHED WITH 1" LONG NO. 8 LENGTH LAYER OF DRYPAL SCREWS TO EACH SIDE. SCREWS ARE 8" O.C. ALONG THE PERIMETER AND 12" O.C. ALONG THE INTERMEDIATE STUD.
- PARTITION: NO. 25 GAUGE CHANNEL, SHAPE 3-5/8" STUDS 18" O.C. WITH ONE (1) LAYER OF 5/8" GYPSUM WALLBOARD APPLIED VERTICALLY ATTACHED WITH 1" LONG NO. 8 LENGTH LAYER OF DRYPAL SCREWS TO EACH SIDE. SCREWS ARE 8" O.C. ALONG THE PERIMETER AND 12" O.C. ALONG THE INTERMEDIATE STUD.
- CONCRETE COLUMN - SEE STRUCTURAL DRAWINGS

NOTE

RESTROOMS ARE NOT PART OF THIS PERMIT. PLANS WILL BE SUBMITTED SEPARATELY @ TIME OF TENANT BUILDOUT.

NOTE

THESE DRAWINGS ARE FOR SHELL PERMIT ONLY. INTERIOR PARTITIONS SHOWN WITH THE EXCEPTION OF COMMON PARTITIONS ARE FUTURE AND ARE BEING INDICATED FOR CLARIFICATION / DESIGN PURPOSES ONLY. INTERIOR WORK IS NOT PART OF THIS PERMIT, UNLESS OTHERWISE NOTED.

DATE: 09-08-06
DRAWN: AYC/A
CHECKED: AP
PROJ. NO: 2006051405
1.
2.
3.
BIC-BUILDING DEPT. COMMENTS
CC-COORDINATION COMMENTS
AR-AS-BAT
NOT REVISION AFTER APPROVAL

LEOPOLDO BELLON, AIA
AR-008737

ANGEL MILANES, AIA
AR-0015845

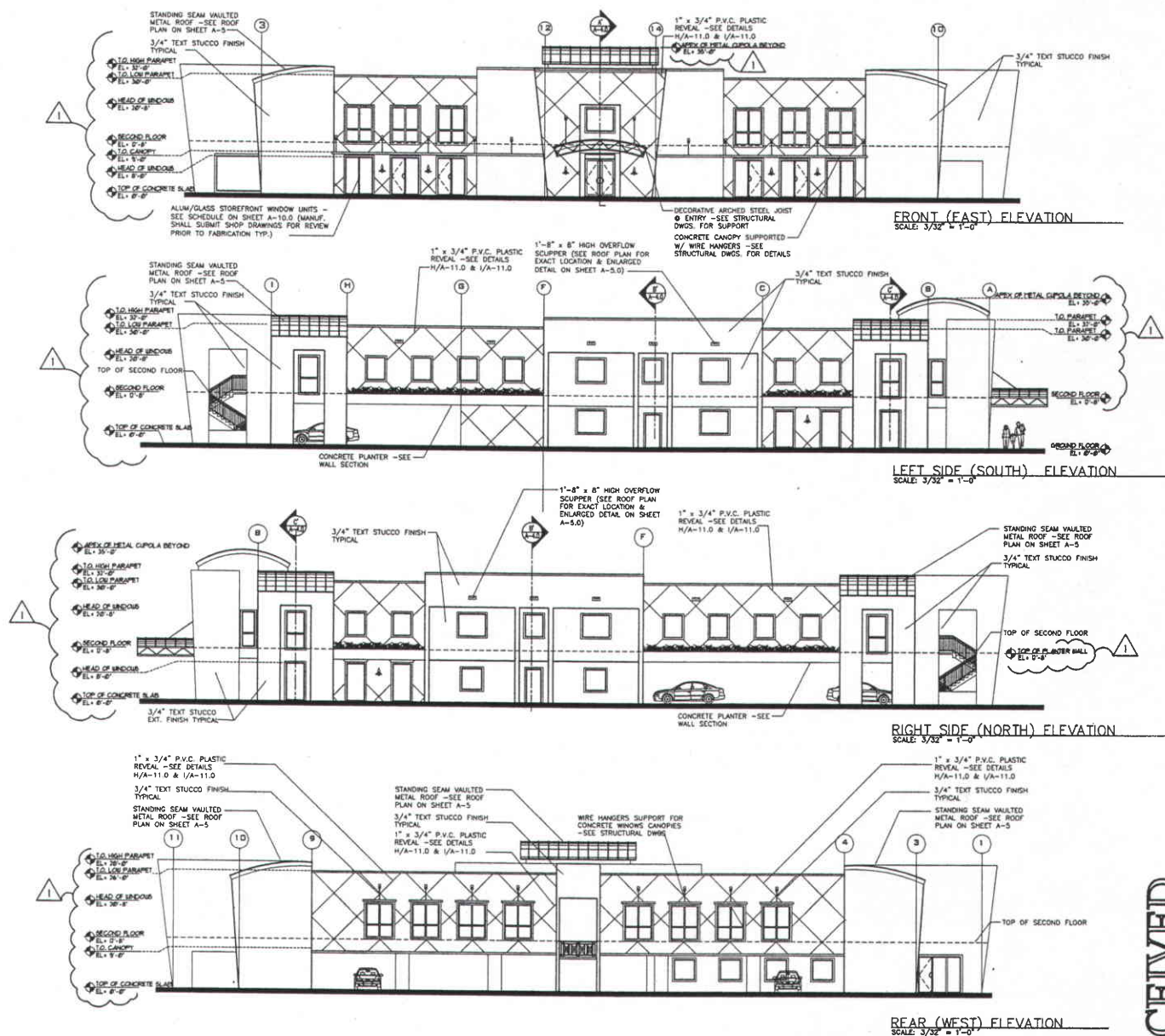
A-2.0
OF

SECOND FLOOR PLAN

GALLOWAY MEDICAL PAVILION
SW 76TH STREET, 87TH AVENUE
MIAMI-DADE COUNTY, FLORIDA

Bellon
Milanes
architects
planners
13901 S.W. 132 AVENUE
MIAMI, FLORIDA 33186
T: (305) 278-7778
F: (305) 278-7473
WWW.BELLONMILANES.COM
AA-0003505

ARCHITECTURE
LAND PLANNING
INTERIORS
CONSTRUCTION MANAGEMENT

[illegible]

RECEIVED
MIAMI-DADE COUNTY
PROCESS #: Z07-069
DATE: MAY 09 2007
BY: BJL

EXTERIOR ELEVATIONS

**Bellón
Milanés**
architects
planners

12901 S.W. 132 AVENUE
MIAMI, FLORIDA 33186

T. (305) 278-7778
F. (305) 278-7473
WWW.BELLONMILANES.COM

AA-0003505

ARCHITECTURE
LAND PLANNING
INTERIORS
CONSTRUCTION MANAGEMENT

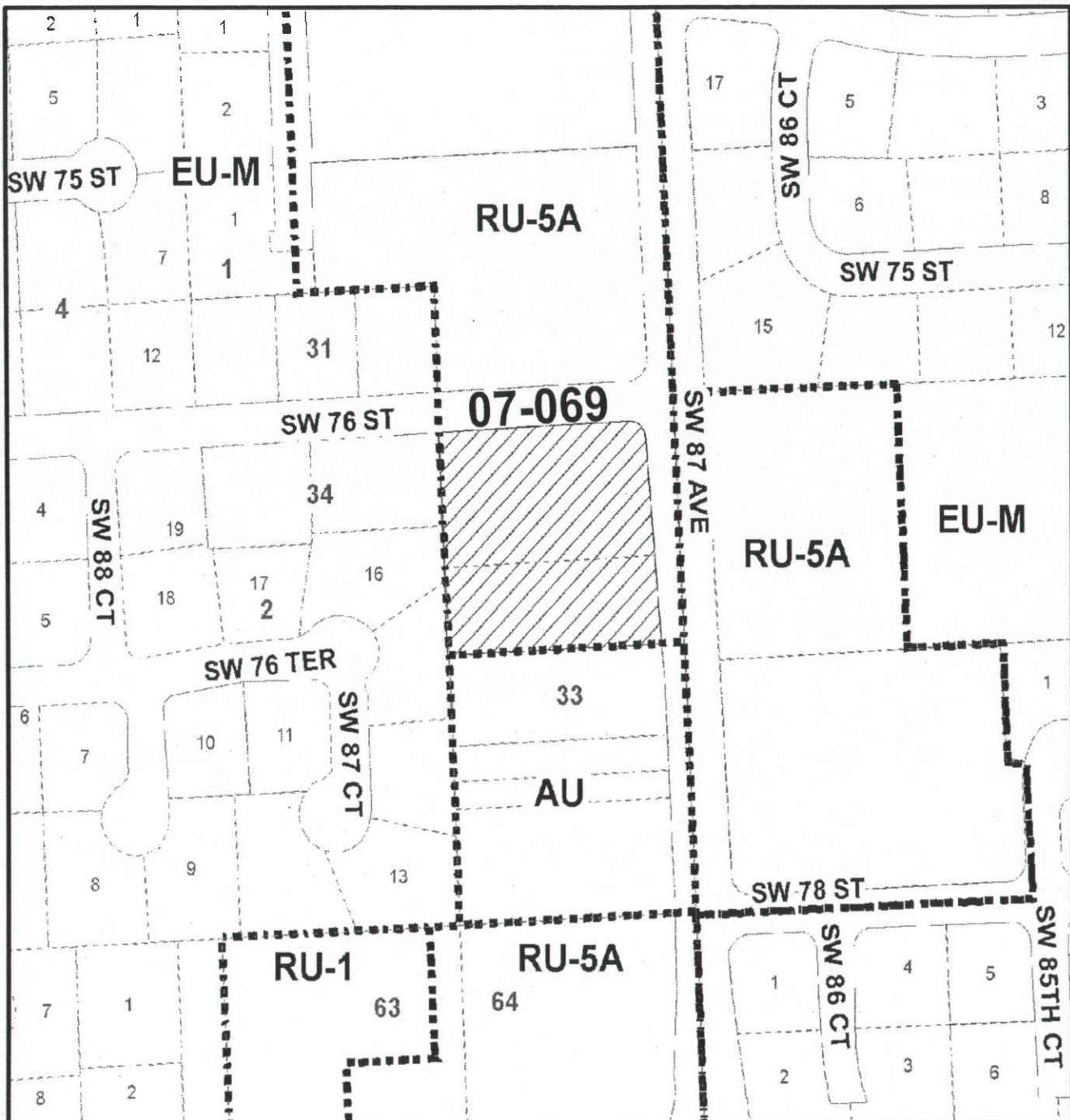
GALLOWAY MEDICAL PAVILION
SW 76TH STREET, 87TH AVENUE

DATE: 02-25-06
DRAWN: A.V.C.B.
CHECKED: A.M.
PROJ. NO: 200501405
1. 02-25-2007 (REVISION)
2.
3.
BDC: BUILDING DEPT. COMMENTS
CC: COORDINATION CHANGES
AB: AS-BUILT
RAP: REVISION AFTER APPROVAL

LEOPOLDO BELLON, AIA
AR-008737

ANGEL MILANES, AIA
AR-0015845

A-3.0
OF .



**MIAMI-DADE COUNTY
HEARING MAP**

Section: 33 Township: 54 Range: 40

Process Number: 07-069

Applicant: MERRINECK EST., LLC & MEDICO INT. REALTY HOLDINGS LLC

Zoning Board: C12

District Number: 7

Cadastral: N'NAGBE

Scale: NTS



 **SUBJECT PROPERTY**





MIAMI-DADE COUNTY
AERIAL

Section: 33 Township: 54 Range: 40

Process Number: 07-069

Applicant: MERRINECK EST., LLC & MEDICO INT. REALTY HOLDINGS LLC

Zoning Board: C12

District Number: 7

Cadastral: N'NAGBE

Scale: NTS



SUBJECT PROPERTY



3. MERRINECK ESTATES, LLC & MEDICO
INTERNATIONAL REALTY HOLDINGS LLC
(Applicant)

07-7-CZ12-3 (07-69)
Area 12/District 7
Hearing Date: 7/10/07

Property Owner (if different from applicant) **Merrineck Estates, LLC.**

Is there an option to purchase ☐/lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1980	Jacqueline & Peggy Parker	- Use variance office in AU. - Non-Use variance height. - Non-Use variance masonry wall.	ZAB	Approved w/conds.
1980	Jacqueline Parker Koger & Peggy Parker Tyn	- Use variance office in AU. - Non-Use variance height. - Non-Use variance decorative wall.	BCC	Approved w/conds.
1981	Jacqueline P. Koger	Delete condition of a previous resolution.	BCC	Approved w/conds.
1981	Jacqueline P. Koger	Delete condition of a previous resolution.	ZAB	Approved w/conds.
1985	Robert & Jacqueline Koger	- Zone change from AU to RU-5A. - Use variance plant nursery. - Non-Use variance parking and detached signs.	BCC	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 12**

APPLICANTS: Merrineck Estates L.L.C. and
Medico International Realty Holdings L.L.C.

PH: Z07-69 (07-7-CZ12-3)

SECTION: 33-54-40

DATE: July 10, 2007

COMMISSION DISTRICT: 7

ITEM NO.: 3

A. INTRODUCTION

o **REQUESTS:**

(1) RU-5A to RU-5

(2) Deletion of a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847

The purpose of request #2 is to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business and to allow the development of the site in accordance with the proposed zoning.

(3) Applicant is requesting to permit parking within 25' of an official right-of-way (not permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of request #3 may be considered under §33-311 (A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Galloway Medical Pavilion," as prepared by Bellon, Milanese, Architects and Planners, dated stamped received 5/9/07 and consisting of 6 sheets. Plans may be modified at public hearing.

o **SUMMARY OF REQUESTS:**

The applicants seek to change the zoning on the property from RU-5A, Semi-Professional Office District, to RU-5, Semi-Professional Office and Apartment District, in order to construct a proposed two-story medical office building. In addition, the applicants seek to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business. Furthermore, the applicants seek to permit parking within 25' of the right-of-way.

o **LOCATION:** 7600 and 7650 S.W. 87 Avenue, Miami-Dade County, Florida.

o **SIZE:** 1.9 Acres

o **IMPACT:**

This application will allow the applicants to develop the site in accordance with the proposed RU-5 zoning regulations in order to provide semi-professional office

services to the community. In addition, approval of the request to delete a restriction requiring the property to be used only as an architect's office, florist, sod or nursery business, will have a positive impact on the community by eliminating the more intense uses for a sod and nursery business from the site. However, the requested zone change will allow a greater height (35') than the current RU-5A zone allows (24') and the request to allow parking within 25' of the right-of-way could have a negative visual impact on the property.

B. ZONING HEARINGS HISTORY:

In 1980, a portion of the subject property was granted a use variance to permit an architect's office in the AU, Agricultural District, as would be permitted in the RU-5A, Semi-Professional Office District, in conjunction with a landscape business, and as indicated on submitted plans, a non-use variance to permit the proposed building to be of a geodesic dome design, a non-use variance of zoning regulations limiting the building height to 24' above finished grade to waive same to permit the proposed building with an overall height of 25' 9/16", as well as a non-use variance to permit a 6' high chain link fence along the interior side (south) property line to within 80' of the front (east) property line and to delete the required wall in its entirety along said 80' as indicated in the submitted plans by the Zoning Appeals Board (ZAB), pursuant to Resolution No. 4-ZAB-138-80. Said application was subsequently appealed in 1980 to the Board of County Commissioners (BCC) and the decision of the ZAB was sustained, pursuant to Resolution No. Z-175-80. In 1981, a request to delete Condition #5 of Resolution Z-175-80, that the western portion of S.W. 76 Street be restricted to no trucks, was denied without prejudice by the ZAB, pursuant to Resolution No. 4-ZAB-164-81. Said application was subsequently appealed in 1981 to the BCC which overruled the decision of the ZAB and approved the requested deletion of Condition #5 of Resolution Z-175-80 subject to conditions, pursuant to Resolution No. Z-174-81. In 1985, a district boundary change from AU, Agricultural District, to RU-5A, Semi-Professional Office District, a use variance to permit the maintenance and continued use of an existing sod business and florist shop on Parcel "A" (northern portion of subject property), a use variance to permit the maintenance and continued use of a plant nursery on Parcel "B" (southern portion of subject property) as well as a deletion of Condition #1 of Resolution Z-174-81, that the southbound driveway on SW 87 Avenue at the intersection of SW 76 Street be widened to 45 feet was granted by the BCC, pursuant to Resolution No. Z-42-85. In addition, aforementioned application also included the following non-use variances to permit the existing plant nursery to be operated from 5 open Quonset huts (Parcel B), to permit 6 parking spaces to be on turf blocks (hard surface required), to permit maintenance and continued use of a 32 sq. ft. detached sign and a proposed 72 sq. ft. detached sign (none permitted) as well as a request to permit a proposed 6' high chain link fence in lieu of the required 5' high wall along the south property line, were also granted by the BCC pursuant to Resolution No. Z-42-85. A Declaration of Restrictions was proffered in conjunction with said Resolution, which among other things, restricted the subject property to the uses presently on said property for an architectural office (RU-5A), florist, sod and nursery business and that no other use of said property shall be permitted. Furthermore, said Declaration of Restrictions also required that the applicant erect and maintain a row of Areca Palms at least as high as the west wall of Parcels A and B of the subject property on the west side of said wall at the request of any owner of property which abuts the west wall of Parcels A and B (subject property).

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Office/Residential**. Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. Satellite telecommunication facilities that are ancillary uses to the businesses in a development are also allowed. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent residential uses. The maximum scale and intensity, including height and floor area ratio of office, hotel and motel development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. Where the Office/Residential category is located between residential and business categories, the more intensive activities to occur on the office site, including service locations and the points of ingress and egress, should be oriented toward the business side of the site, and the residential side of the site should be designed with sensitivity to the residential area and, where necessary, well buffered both visually and acoustically.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

RU-5A; vacant

Office/Residential

Surrounding Properties:

NORTH: RU-5A; Office building

Office/Residential

SOUTH: AU; Nursery

Office/Residential

EAST: RU-5A; Retail produce market

Office/Residential

WEST: EU-M; Single-family residences
and vacant land

Low Density Residential

The subject property is a corner lot located at 7600 and 7650 SW 87 Avenue, in an area characterized by semi-professional offices, a retail produce market, a nursery, and single-family homes.

E. SITE AND BUILDINGS:

Site Plan Review:	(Site plans submitted.)
Scale/Utilization of Site:	Acceptable*
Location of Buildings:	Acceptable
Compatibility:	Acceptable*
Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable*
Parking Layout/Circulation:	Acceptable
Visibility/Visual Screening:	Acceptable
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

*Subject to conditions.

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change**, **Section 33-311** provides that the Board take into consideration, among other factors, the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for

construction, and if the development is or will be accessible by public or private roads, streets or highways.

33-311(A)(7) Generalized Modification Standards. The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate board finds after public hearing (a) that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.

Section 33-311(A)(17) Modification or Elimination of Conditions and Covenants After Public Hearing. The Community Zoning Appeals Board shall approve applications to modify or eliminate any condition or part thereof, which has been imposed by any zoning action, and to modify or eliminate any restrictive covenants, or parts thereof, accepted at public hearing, upon demonstration at public hearing that the requirements of at least one of the following paragraphs have been met. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application, and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.

Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations. Upon appeal or direct application in specific cases, the Board shall hear and grant applications for **non-use variances** from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Section 33-311(A)(4)(c) Alternative Non-Use Variance Standard. Upon appeal or direct application in specific cases to hear and grant applications from the terms of the zoning and subdivision regulations for non-use variances from the terms of the zoning regulations the Board (following a public hearing) may grant a non-use variance for these items, upon a showing by the applicant that the variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed

and substantial justice done; provided, that the non-use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum non-use variance that will permit the reasonable use of the premises; and further provided, no non-use variance from any airport zoning regulation shall be granted under this subsection.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No comment
MDT	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to the conditions indicated in their memoranda.

H. ANALYSIS:

The subject property is a corner lot located at 7600 and 7650 SW 87 Avenue, in an area characterized by semi-professional offices, a retail produce market, a nursery, and single-family homes. The 1.9-acre subject site is currently undergoing demolition of a two-story geodesic dome structure located in the northern portion of the subject property and an aluminum Quonset hut located in the southern portion of the lot. The applicants seek to change the zoning on the subject property from RU-5A, Semi-Professional Office District, to RU-5, Semi-Professional Office and Apartment District (request #1). Additionally, the applicants seek to delete a Declaration of Restrictions in order to remove a restriction requiring the property to be used only as an architect's office, florist, sod and nursery business (request #2). Furthermore, the applicants seek to permit parking within 25' of an official right-of-way (none permitted) (request #3). RU-5 uses include, but are not limited to, office buildings for accountants, architects, attorneys, dentists, medical doctors, notary publics, real estate, and travel agencies, as well as banks without drive-in teller facilities. The applicants have voluntarily proffered a covenant to prohibit residential uses on the subject property and restrict development of the site to the submitted plans. Plans submitted by the applicants depict the subject site to be developed for a proposed two-story medical office building that exceeds the maximum 24' height limitation in the current RU-5A zoning district but, with a maximum height of 35', conforms to the maximum height allowed (35') in the requested RU-5 zoning district. Submitted plans also depict a landscape buffer that features, among other things, Gumbo Limbo, Geiger, Pigeon Plum, and Green Buttonwood Trees as well as a various shrubs along the perimeter of the site. Moreover, submitted plans also depict an existing 5' concrete block wall along the western and southern property lines. In addition, staff notes that the submitted plans indicate that the applicants have provided a surplus of 40 parking spaces yielding a total of 163 where 123 parking spaces are required. As indicated in the submitted plans, the proposed parking areas are located along the perimeter of the site, accessed by a two-way circular drive with ingress/egress access provided at SW 87 Avenue and SW 76 Street.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicants will have to comply with all

DERM requirements as indicated in their memorandum for this application. The **Public Works Department** has no **objections** to this application. Their memorandum indicates that the driveway to SW 87 Avenue must meet current F.D.O.T. access management requirements. Additionally, their memorandum indicates that this application will generate **123** additional PM daily peak hour **vehicle trips**, however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways which are currently operating at LOS "C" and "E". Furthermore, said memorandum indicates that the subject property requires platting in accordance with Chapter 28 of the Code of Miami-Dade County and road dedications and improvements will be accomplished through the recording of a plat. The **Miami-Dade Fire Rescue Department (MDFR)** also has no **objections** to this application.

Approval of the district boundary change will allow the applicants to provide semi-professional office services for the community. This area is designated for **Office/Residential** use on the Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP). Uses allowed in this category include both professional and clerical offices, hotels, motels, and residential uses. Office developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing, zoned, or Plan-designated adjoining or adjacent residential uses. The CDMP also indicates that office uses may be approved only if the scale and character of the prospective office use are compatible with the surrounding residential neighborhood and if the site has sufficient dimensions to permit adequate on-site parking and buffering of adjacent residences from the office. Other factors that will be considered in determining compatibility include, but are not limited to, traffic, noise, lighting, shadows, access, signage, landscaping, and hours of operation. Staff is of the opinion that the site plan submitted would not have an unfavorable effect on the surrounding area. The subject property abuts single-family residences developed under the EU-M zoning requirements to the west, and staff is of the opinion that the applicants have designed the proposed office site with sensitivity to same. The plans submitted for this application depict a 12'6" to 11'6" wide landscape buffer that features Gumbo Limbo, Geiger, Pigeon Plum, and Green Buttonwood Trees as well as various shrubs along the rear (western) property line. Moreover, as previously mentioned, the submitted plans also depict an existing 5' concrete block wall along the western and southern property lines. Staff is of the opinion that the landscape buffer and existing 5' concrete block wall will effectively mitigate any negative visual or aural impacts the proposed development may have on the abutting EU-M, Modified Estate District, zoned single-family residences to the west of the subject property. In addition, as previously mentioned, staff notes that the submitted plans indicate that the applicants have provided a surplus of 40 parking spaces yielding a total of 163 parking spaces for the site. As such, staff opines that adequate on-site parking has been provided. The CDMP also indicates that the maximum scale and intensity, including height and floor area ratio of office development in areas designated Office/Residential shall be based on such factors as site size, availability of services, accessibility, and the proximity and scale of adjoining or adjacent residential uses. The proposed office building will be surrounded by an existing RU-5A zoned office building to the north, a retail produce market also zoned RU-5A to the east, single-family homes zoned EU-M to the west and a plant nursery zoned AU, Agricultural District, to the south. The RU-5A zoning district allows a maximum building height of two-stories; however, the height shall not exceed 24 feet above finished grade. As previously mentioned, plans submitted by the applicants depict the subject site to be developed for a proposed two-story medical office building that exceeds the maximum 24' height limitation of the RU-5A

8

zoning district but, at a maximum height of 35', conforms to the 35' height limitation in the requested RU-5 zoning district. The proposed 2-story office building with a maximum height of 35' is, in staff's opinion, compatible with the area. Staff notes that two-stories and 35' maximum height is allowed in the EU-M and AU zones that abut the subject property to the west and south. Staff, therefore, is of the opinion that the proposed 2-story, 35' high medical office building is **compatible** with the height permitted in the surrounding area and consistent with the CDMP. As previously mentioned, the applicants have voluntarily proffered a covenant to prohibit residential uses on the subject property and to restrict the development of the site to the submitted plans. Based on the aforementioned, the proposed RU-5 rezoning is **consistent** with the CDMP and, in staff's opinion, **compatible** with the area.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration whether the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider whether the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. The applicant is seeking approval for a district boundary change from RU-5A, Semi-Professional Offices District, to RU-5, Semi-Professional Offices and Apartments District, with the intention of constructing a two-story medical office building with a maximum height of 35'. As previously mentioned, staff concludes that the proposed development would be **consistent** with the LUP Map designation and the interpretative text of the CDMP and opines that it would be **compatible** with the surrounding area. Staff notes that the proposed office use will not have an unfavorable impact on the water, sewer, solid waste disposal, or other public services and will not have an unfavorable impact on the environment as indicated by the memorandum submitted by DERM. Further, the Public Works Department has no objection to this application, and indicates that the additional 123 PM daily peak hour vehicle trips generated by this application will not exceed the acceptable level of service of the surrounding roadways. Furthermore, staff, opines that the placement of the proposed medical office use on the subject property is well suited, as indicated on the submitted plans, along SW 87 Avenue, since said roadway is a well traveled section-line roadway. As previously mentioned, the submitted plans indicate the proposed parking areas are to be located along the perimeter of the site and accessed via a two-way circular drive with ingress/egress access provided at SW 87 Avenue and SW 76 Street. As proposed, the design is sufficient in providing the required parking needed for the proposed office use and the surplus parking provided by the applicant. Moreover, as previously mentioned, the applicants have voluntarily proffered a covenant to prohibit residential uses on the subject property and to restrict the development of the site to the submitted plans. Therefore, staff opines that the proposed RU-5 zoning would be **compatible** with the surrounding area.

When request #2 is analyzed under the Generalized Modification Standards, Section 33-311(A)(7), the deletion of a Declaration of Restrictions recorded in Official Record Book 12486, Pages 842-847, will not generate excessive noise or traffic, provoke excessive

overcrowding of people, or tend to provoke a nuisance, and will not be contrary to the public interest. As previously mentioned, said Declaration of Restrictions was proffered in conjunction with Resolution No. Z-42-85 and restricts the uses permitted on the subject property to an architectural office, florist, sod and nursery business and further stipulates that no other use of said property shall be permitted. Furthermore, said Declaration of Restrictions also required that the applicant erect and maintain a row of Areca Palms at least as high as the west wall of Parcels A and B (subject property) on the west side of said wall at the request of any owner of property which abuts the west wall of Parcels A and B (subject property). As previously mentioned, the 1.9-acre subject site is currently undergoing demolition of a two-story dome structure located in the northern portion of the subject property and a screened Quonset hut located in the southern portion of the lot which were utilized in conjunction with the previously approved architectural office, florist and sod and nursery business. The revised plans submitted by the applicants depict the subject site to be developed for a proposed medical office building which staff opines is less objectionable than the prior sod and nursery business which necessitated frequent ingress and egress of trucks onto the subject property. In addition, as previously mentioned, staff is of the opinion the 12'6" to 11'6" wide landscape buffer and existing 5' concrete block wall, as depicted on the submitted plans, will effectively mitigate any negative visual or aural impacts the proposed development may have on the abutting EU-M zoned single-family residences to the west of the subject property. Furthermore, the memorandum issued by the Public Works Department indicates that the 123 additional PM daily peak hour vehicle trips generated by this application will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways. Therefore staff opines that the proposed deletion of the Declaration of Use will not generate excessive traffic. Based on all the aforementioned, staff recommends approval with conditions of request #2 under Section 33-311(A)(7).

The standards under Section 33-311(A)(17), Modification or Elimination of Conditions and Covenants After Public Hearing, provide for the approval of a zoning application which demonstrates at public hearing that the modification or elimination of conditions of a previously approved resolution or restrictive covenant complies with one of the applicable modification or elimination standards and does not contravene the enumerated public interest standards as established. However, the applicants have not submitted documentation to indicate which modification or elimination standards are applicable to the requests. Due to the lack of information, staff is unable to analyze request #2 under said standards and as such, request #2 should be denied without prejudice under Section 33-311(A)(17).

When requests #3 is analysed under Section 33-311(A)(4)(b), the Non-Use Variance (NUV) Standards, staff is of the opinion that the request does maintain the basic intent and purpose of the zoning, subdivision and other land use regulations and would be **compatible** with the surrounding area. Request #3, to permit parking within 25' of an official right-of-way (not permitted), would not have an adverse effect on the stability and appearance of the community. As previously mentioned, the submitted plans depict the proposed parking areas to be located along the perimeter of the site, accessed by a two-way circular drive with ingress/egress provided at SW 87 Avenue and SW 76 Street. The applicants have provided a surplus of 40 parking spaces, which exceeds the requirement of 123 parking spaces. As such, staff opines that more than adequate on-site parking has been provided and that the parking to be located within 25' of the right-of-ways will not cause auto spillage into the streets and will not, therefore, have a negative effect on the area. Furthermore, as previously mentioned, staff notes that the **Public Works**

Department has no objections to this application. Therefore, based on the aforementioned, staff recommends approval with conditions of request #3 under Section 33-311(A)(4)(b).

When request #3 is analyzed under the Alternative Non-Use Variance (ANUV) Standards, Section 33-311(A)(4)(c), the applicants would have to prove that the request is due to an unnecessary hardship and that, should the request not be granted, such denial would not permit the reasonable use of the premises. Since the applicants have not proven that compliance with same would result in an unnecessary hardship and the subject property can be utilized in accordance with the zoning regulations and with previous zoning approvals, staff is, therefore, of the opinion that request #3 cannot be approved under the ANUV Standards and should be denied without prejudice under Section 33-311(A)(4)(c) (ANUV).

Based on all of the aforementioned, staff is of the opinion that, subject to the Board's acceptance of the proffered covenant, the proposed RU-5 rezoning would be **compatible** with the surrounding area and **consistent** with the provisions found within the interpretative text of the CDMP. As such, staff recommends approval of the zone change from RU-5A to RU-5, subject to the Board's acceptance of the proffered covenant (request #1). Similarly, staff recommends approval with conditions of request #2 under Section 33-311(A)(7) and denial without prejudice of same under Section 33-311(A)(17). Furthermore, staff recommends approval with conditions of request #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

I. RECOMMENDATION:

Approval of the zone change to RU-5, subject to the Board's acceptance of the proffered covenant; Approval with conditions of request #2 under Section 33-311(A)(7) and denial without prejudice of same under Section 33-311(A)(17); Approval with conditions of request #3 under Section 33-311(A)(4)(b) (NUV) and denial without prejudice of same under Section 33-311(A)(4)(c) (ANUV).

J. CONDITIONS: For requests #2 and #3 only.

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning and Zoning upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include, but not limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Galloway Medical Pavilion," as prepared by Bellon, Milanes, Architects and Planners, dated stamped received 5/9/07 and consisting of 6 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained within this report.

DATE INSPECTED: 05/31/07
DATE TYPED: 06/07/07
DATE REVISED: 06/13/07; 06/21/07; 06/22/07; 06/27/07; 07/03/07
DATE FINALIZED: 07/03/07
SB:AJT:MTF:LVT:JV:NC



Subrata Basu, Interim Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



Date: March 27, 2007

To: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

Subject: C-12 #Z20070 00069
Merrineck Estates, LLC, and Medico International Realty Holdings, LLC
7600 and 7650 S.W. 87th Avenue
Modification of a Previously Approved Site Plan in Resolution Z-42-85 and
Deletion of a Declaration of Restrictions
(RU-5A) (1.90 Acres)
33-54-40

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Wellfield Protection

The subject property is located within the basic wellfield protection area for the Alexander Orr Wellfield. The site is situated within the 30-day travel time contour of the said wellfield. Therefore, development on the subject property shall be in accordance with regulations established in Section 24-43 of the Code.

Since the subject request involves a nonresidential land use, or a zoning category that permits a variety of nonresidential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

Section 24-43 (4)(b) of the Code provides that the maximum allowable sewage loading, for property not having indigenous sandy soil substrata, and located within the 30-day travel time contour of the basic wellfield protection area of any public utility potable water supply well, shall not exceed 1600 gallons per day per acre.

The applicant proposes to utilize the subject property as a medical office building. The applicant is advised that DERM approval of subsequent development orders shall be contingent upon verification that the proposed future tenants are in compliance with the restrictions of the existing covenant running with the land and with the above-mentioned sewage loading requirements.

Potable Water Service and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required, in accordance with Code requirements. All sewer lines serving the property shall comply with the exfiltration standards, as applied to development within wellfield protection areas.

Existing public water and public sanitary sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction of the LOS standards, subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted, if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted, in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

Section 24-43 of the Code also regulates stormwater disposal methods within public water supply wellfield protection areas. The Code requires that all stormwater runoff shall be retained on-site utilizing only infiltration or seepage type drainage systems on that part of the wellfield protection area that is beyond the 30-day travel time contour and infiltration only for that part comprehended between 100 feet from the wells to the 10-day travel time contour. The Code prohibits the disposal of stormwater within 100 feet of the wells. Accordingly, all stormwater collected within this area shall be diverted from the same via concrete swale. Oil and grease interceptors will be required at all catch basins preceding the exfiltration systems.

All stormwater shall be retained on-site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year/1-day storm event.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP, subject to compliance with the conditions required by DERM for this proposed development order.

Operating Permits

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant is advised that, due to the nature of activities inherent to the proposed land use, operating permits from DERM may be required. It is, therefore, suggested that the applicant contact DERM concerning operating requirements.

Air Quality Preservation

According to departmental records, the applicant has filed the required paperwork for the nursery demolition.

Wetlands

The subject property does not contain jurisdictional wetlands, as defined in Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

According to the site plan submitted along with the zoning application, specimen-sized tree(s) (trunk diameter 18 inches or greater) will be impacted. Section 24-49.2 of the Code requires preservation of specimen trees whenever reasonably possible. Prior to the removal or relocation of any tree on-site, which is subject to the Tree Preservation and Protection provisions of the Code, a Miami-Dade County Tree Removal Permit, which meets the requirements of Sections 24-49.2 and 24-49.4 of the Code, is required. Be advised that, pursuant to Section 24-49.2(II)(1) of the Code, evaluation of permit applications for the removal of specimen trees include, but is not limited to, factors such as size and configuration of the property, as well as any proposed development, location of tree(s) relative to any proposed development, and whether or not the tree(s) can be preserved under the proposed plan or any alternative plan.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. The applicant is advised to contact DERM staff for additional information regarding permitting procedures and requirements prior to site development.

Enforcement History

DERM has found the following closed enforcement case for the subject property:

Jackie's Parker Sod
Folio 30-4033-001-0540:

DERM has file #UT-1377. There is record of a closed enforcement case for failure to have secondary containment on the underground storage tanks. Notices were issued September 20, 1990, December 19, 1990, and April 2, 1991, and the case was subsequently closed with the removal of the underground storage tanks on October 13, 1991.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMF for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency, subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

cc: Lynne Talleda, Zoning Evaluation - P&Z
Ron Connally, Zoning Hearings - P&Z
Franklin Gutierrez, Zoning Agenda Coordinator - P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: MERRINECK ESTATES, LLC & MEDICO INTERNATIONAL
REALTY HOLDINGS LLC

This Department has no objections to this application.

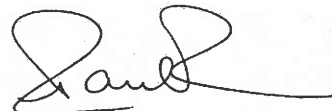
Driveway to SW 87 Avenue must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

This land may require platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 123 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
F-1075	SW 87 Ave. s/o SW 56 St.	C	C
F-1068	SW 72 St. w/o Palmetto Expwy.	C	C
F-1076	SW 87 Ave. n/o SW 85 St.	C	C
F-68	SW 72 St. e/o SW 107 Ave.	E	E

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

08-MAY-07

Memorandum



Date: 20-MAR-07
To: Diane O'Quinn Williams, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2007000069

Fire Prevention Unit:

APPROVAL

Fire Engineering and Water Supply Bureau has no objection to Site plans date stamped March 7 2007. Any changes to the vehicular circulation must be resubmitted for review and approval.

This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for zoning hearing applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan must adhere to corresponding MDFR requirements.

Service Impact/Demand:

Development for the above Z2007000069
located at 7600 AND 7650 S.W. 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1753 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>37,473</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: 7.86 alarms-annually.

Existing services:

The Fire station responding to an alarm in the proposed development will be:

Station 14 - South Miami - 5860 SW 70 Street
Rescue, BLS Engine, Battalion

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

Station 13 East Kendall 6000 SW 87 Avenue

Fire Planning Additional Comments:

Current service impact calculated based on plans date stamped March 7 2007. Substantial changes to the plans will require additional service impact analysis.

TEAM METRO

ENFORCEMENT HISTORY

MERRINECK ESTATES, LLC &
MEDICO INTERNATIONAL REALTY
HOLDINGS LLC

7600 AND 7650 S.W. 87 AVENUE,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2007000069

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

No enforcement cases were found.

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
See attached Exhibit B	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>

RECEIVED
2010
MAR - 7 2007

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

If there is a **CONTRACT FOR PURCHASE** by a corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: N/A

NAME ADDRESS AND OFFICE (if applicable)	Percentage of Interest

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

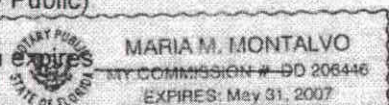
The above is a full disclosure of all parties of interest in his application to the best of my knowledge and belief.

Signature: Hamid Bolooki Hamid Bolooki, Managing Member and Authorized Signatory
(Applicant)

Sworn to and subscribed before me this 7 day of March 2007. Affiant is personally known to me or has produced Known to me as identification.

Maria M. Montalvo
(Notary Public)

My commission expires



*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or a other country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five percent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership corporation or trust.

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2006
MAR - 7 2007

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

Exhibit B

Disclosure of Interest

The following is the Disclosure of Interest for Merrineck Estates, LLC, and Medico International Realty Holdings, LLC, the property owners.

<u>Name of Interest Holder</u>	<u>Percentage Interest</u>
1. Merrineck Estates, LLC	71.85477%
Hamid Bolooki, Managing Member	
a. Galloway LandHolding, LLC	22.36274953%
Cosme Gomez	50%
Robert Puig	50%
Total	100%
b. Galloway Properties, LLC	16.10918637%
Hamid Bolooki	25%
Moises E. Hernandez	25%
Jose P. Ferrer	25%
Simon Behar	25%
Total	100%
c. Lucia Robla	16.10918637%
d. Margarita Fernandez	34.24580807%
e. Del Valle Family Management Co., LLC	11.17306966%
Roxana Del Valle	100%
Total	100.00000000%
2. Medico International Realty Holdings, LLC	28.14523%
Hamid Bolooki, Authorized Signatory	
a. Sara Ferrer	25.0%
b. Ana M. Hernandez	25.0%
c. Maria E. Hernandez	25.0%
d. Brenda Behar	25.0%
Total	100.0%
GRAND TOTAL	100.00000%

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2006
MAR - 7 2007

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY JS

RECEIVED
MIAMI DADE COUNTY
PROCESS #: Z07-069
DATE: MAY 09 2007
BY: BUL

NOTE
THESE DRIVING RECORDS WILL BE FOR YOUR INFORMATION ONLY.
INTERIOR RECORDS ARE NOT TO BE USED FOR ANY OTHER PURPOSES.
CORPORAL RECORDS ARE NOT TO BE USED FOR ANY OTHER PURPOSES.
INDICATING THAT THE RECORDS ARE BEING USED FOR ANY OTHER PURPOSES.
ONLY.
INTERIOR RECORDS ARE NOT TO BE USED FOR ANY OTHER PURPOSES.
OTHERWISE.

NOTE	THESE ORIGINATING AGENCIES WILL PRINT ONLY INTERIOR PAGES AND SECTIONS WITH THE EXCEPTION OF CORRIDOR PARTITION WALLS. THESE ARE BEING INDICATED BY A SHADING FOR THEIR PURPOSES ONLY. INTERIOR PARTITION WALLS NOT TO BE SHOWN, EXCEPT WHERE THEY ARE SHOWN FOR OTHER PURPOSES.
------	--

 SITE PLAN
SCALE: 1/16" = 1'-0"

SW 87TH AVENUE
(GALLOWAY ROAD)

N02°11'21"E 283.38'

S03°41'51"E 283.7'

EXISTING 8'-0" CONCRETE BLOCK

✓

DISTINGUISHING HYDRANT.

NO FENCES, WEDGES, SIGNS OR
ANY OTHER STRUCTURE SHALL BE
HIGHER THAN 24" WITHIN THE
DESIGNATED CLEAR MIGHT
TRIANGLE DISTANCE _____

PROP. 4" DOUBLE DETECTOR
CHECK VALVE ASSEMBLY

AS PER US 430

PROP. 3' METER AS
PER U.S. 421

BACKFLOW PREVENTOR
AS PER U.S. 418

1

PROP. BY PWS: EAR
REVISOR LATERAL

—

EXISTING 4" DUCT
SINK SINKER LINE

EXISTING 6" DWP
WATER MAIN

11

11

—

1

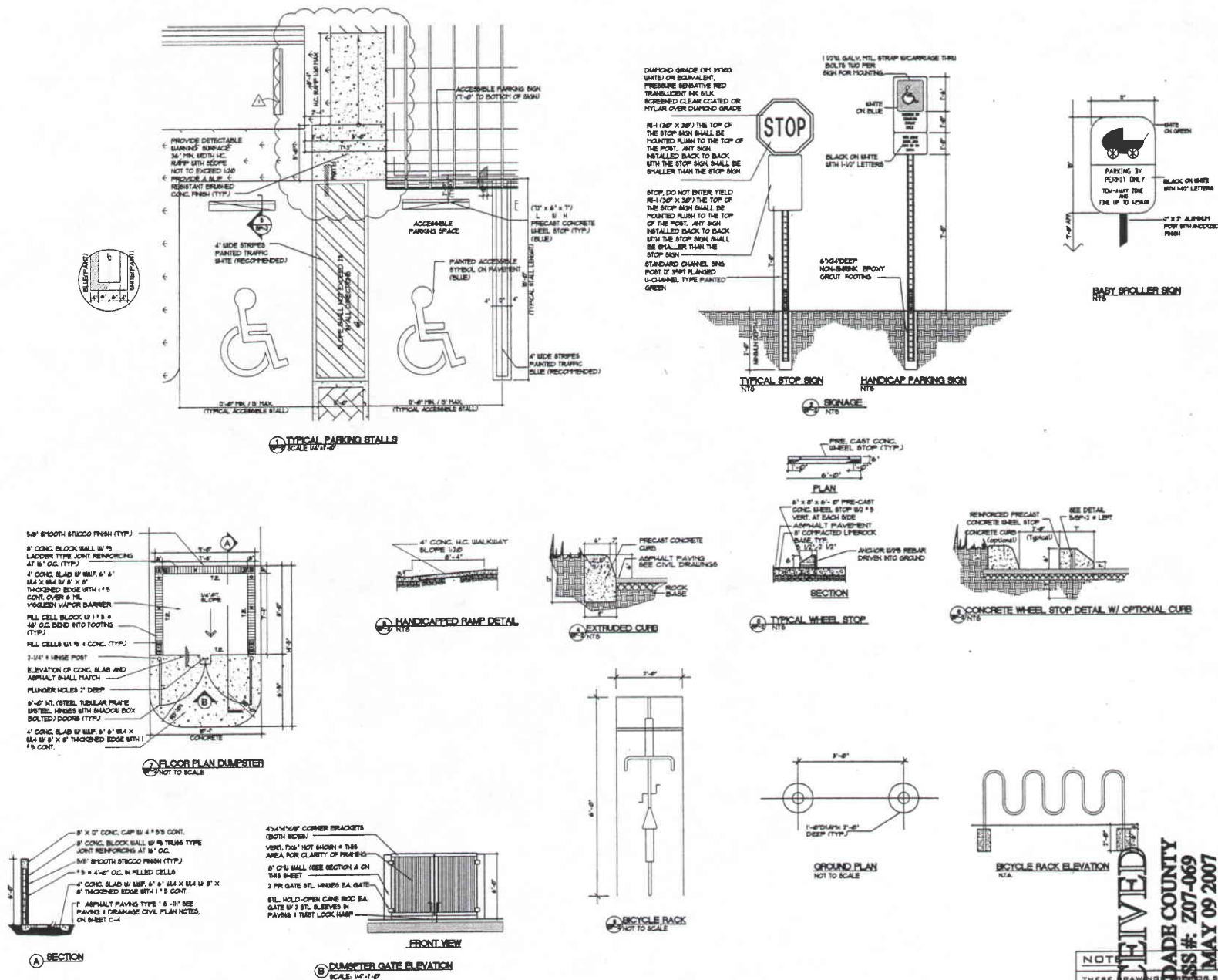
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100


✓

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[illegible]

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SP-2
- OF -

DATE: 05-15-06
DRAWN: A.V.C.B.
CHECKED: A.M.
PROJ. NO: 1005081405
 BCC -06-08-06
2.
3.

GALLOWAY MEDICAL PAVILION
9W 76TH STREET, 87TH AVENUE

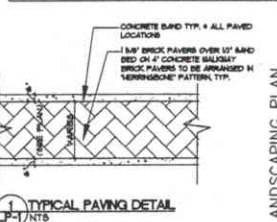
ARCHITECTURE
LAND PLANNING
INTERIORS
CONSTRUCTION MANAGEMENT

12901 S.W. 132 AVENUE
MIAMI, FLORIDA 33166

T. (305) 278-7770
F. (305) 278-7473
WWW.BELLOMILANES.COM

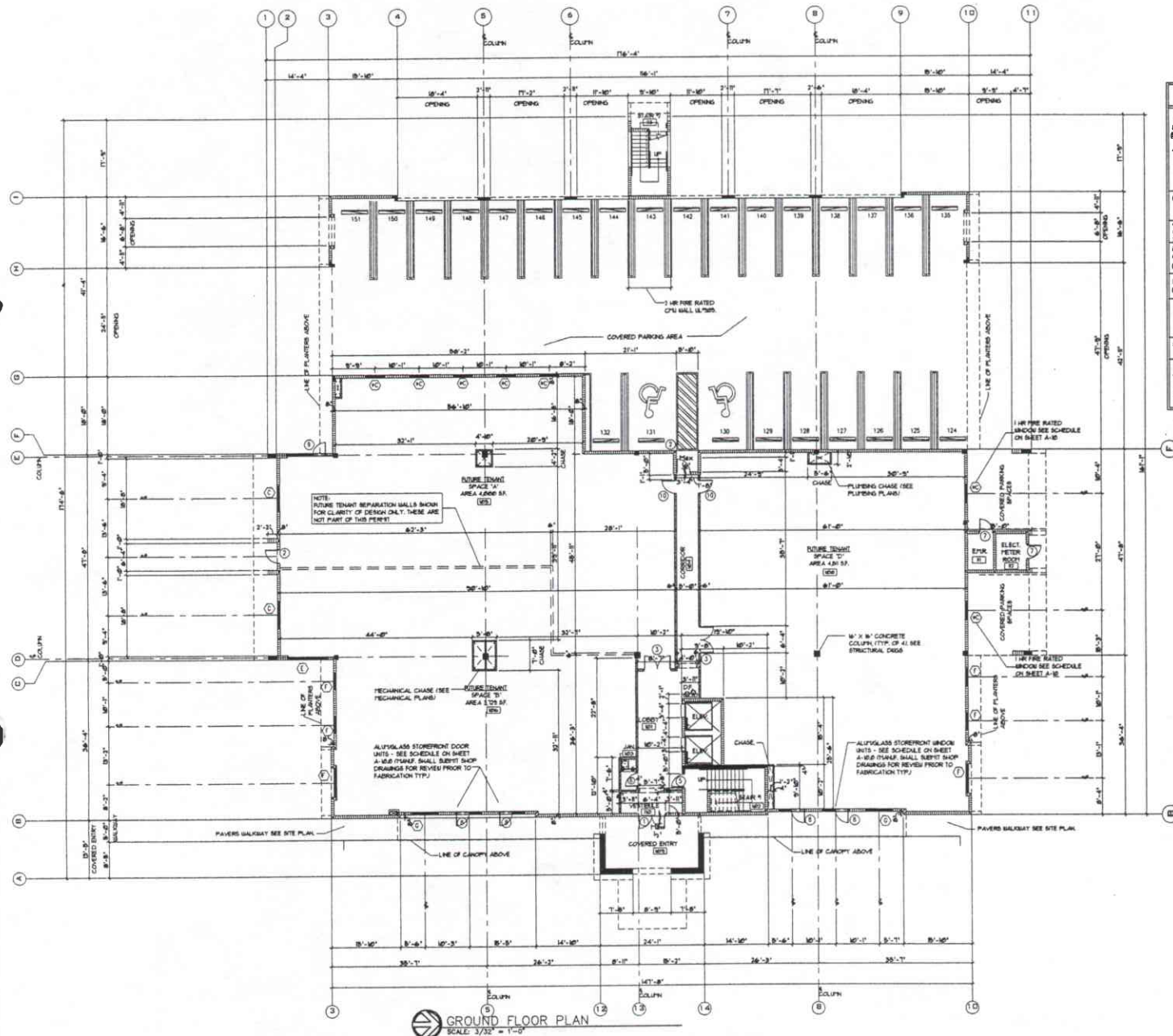
AA-0003505

Bellón Milanés



NOTE
ALL INTERIOR PARTITIONS SHOWN ARE FUTURE AND ARE BEING INDICATED FOR CLARIFICATION / DESIGN PURPOSES ONLY, UNLESS NOTED OTHERWISE.
ALL INTERIOR WORKS IS NOT PART OF THIS PERMIT, UNLESS OTHERWISE NOTED.

Copyright 2007 Bellon Milanes Architects, P.A. All rights reserved. This drawing is the property of Bellon Milanes Architects, P.A. and is loaned to the client for the project only. It is not to be reproduced, copied, or used in any way without the written consent of Bellon Milanes Architects, P.A. The client agrees to hold Bellon Milanes Architects, P.A. harmless from and against all claims, damages, and expenses, including reasonable attorney's fees, arising from the use of this drawing by the client or any third party. The client agrees to defend, indemnify, and hold Bellon Milanes Architects, P.A. harmless from and against all claims, damages, and expenses, including reasonable attorney's fees, arising from the use of this drawing by the client or any third party. The client agrees to hold Bellon Milanes Architects, P.A. harmless from and against all claims, damages, and expenses, including reasonable attorney's fees, arising from the use of this drawing by the client or any third party. The client agrees to defend, indemnify, and hold Bellon Milanes Architects, P.A. harmless from and against all claims, damages, and expenses, including reasonable attorney's fees, arising from the use of this drawing by the client or any third party.



GROUND FLOOR PLAN
SCALE 3/32" = 1'-0"

PROJECT AND CODE INFORMATION	
LOCAL JURISDICTION (MIAMI DADE COUNTY, FLORIDA)	2004 FL. BUILDING CODE
ADOPTED INFORCED CODES	1992 ZONING ORDINANCES (MIAMI DADE COUNTY)
	2004 FL. MECHANICAL CODE (FMC)
	2004 FL. ELECTRICAL CODE (FEC)
	2004 FL. FLORIDA ACCESSIBILITY CODE CHAPTER 8 (FAC)
	2004 NFPA 101 LIFE SAFETY CODE
	2004 FLORIDA FIRE PREVENTION CODE
BUILDING DATA	NEW FRESHWATER BUILDING TOTAL CONSTRUCTION AREA= 27,473 S.F.
	*THIS BUILDING IS PROTECTED WITH AUTOMATIC FIRE SPRINKLER SYSTEM.
OCCUPANCY (40 PER-IBC, TABLE 101.2)	GROUP "B" - BUSINESS (OFFICE)
NEIGHBORING INTERIOR FINISH CLASSIFICATION (40 PER-IBC, TABLE 603.3)	SPRINKLED: BUSINESS - GROUP "B" CLASS A B C
BUILDING CONSTRUCTION TYPE (40 PER-IBC, CHAPTER 8 TABLE 601)	TYPE I (II) (SPRINKLED)
OCCUPANT LOAD (40 PER-IBC, TABLE 1004.1.2)	BUSINESS: 1 PERSON FOR 60 S.F. OF FLOOR AREA 36,823 S.F. / 100 = 368.23 = 370 PERSONS TOTAL OCCUPANT LOAD = 370 PERSONS
EXIT REQUIREMENTS (40 PER-IBC, TABLE 1016.1.2)	MINIMUM NUMBER OF EXITS: 3 FOR AN OCCUPANCY LOAD / STORY OF 1 - 300 PERSONS
COMMON PATHWAY DISTANCE BY OCCUPANCY (40 PER-IBC, TABLE 1016.1.2)	TYPE OF OCCUPANCY: COMMON PATH LIMIT TRAVEL DISTANCE LIMIT BUSINESS: 100 F.T. 300 F.T.

WALL LEGEND	
—	REINFORCED CONCRETE BLOCK WALL (PART OF THIS PERMIT)
- - -	REINFORCED CONCRETE BLOCK WALL (NOT PART OF THIS PERMIT)
—	1 HR. FIRE RATED PARTITION WALL (DESIGN RATED 1 HR. 25 GAUGE CHANNEL, SHIPS 3-1/2" STUDS 24" O.C. WITH ONE FULL 1" TYPE 17 S&W CONCRETE WALLBOARD APPLIED VERTICALLY ATTACHED WITH 1" LONG NO. 6 LENGTH LAYER OF SPRIALL SCREWS TO EACH SIDE. SCREWS ARE 18" O.C. ALONG THE PERIMETER AND 12" O.C. ALONG THE INTERMEDIATE STUD.
—	PARTITION NO. 25 GAUGE CHANNEL, SHIPS 3-1/2" STUDS 18" O.C. WITH ONE FULL 5/8" CONCRETE WALLBOARD APPLIED VERTICALLY ATTACHED WITH 1" LONG NO. 6 LENGTH LAYER OF SPRIALL SCREWS TO EACH SIDE. SCREWS ARE 18" O.C. ALONG THE PERIMETER AND 12" O.C. ALONG THE INTERMEDIATE STUD.
■	CONCRETE COLUMN - SEE STRUCTURAL DRAWINGS

NOTE: REVISIONS TO THE PERMIT PLANS WILL BE SUBMITTED TO THE CITY OF MIAMI BUILDING DEPARTMENT FOR REVIEW AND APPROVAL. THESE DRAWINGS ARE NOT TO BE USED FOR ANY OTHER PURPOSES. INTERIOR FINISHES ARE NOT TO BE USED FOR ANY OTHER PURPOSES. INTERIOR FINISHES ARE NOT TO BE USED FOR ANY OTHER PURPOSES.



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MIAMI, FLORIDA 33184
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F: (305) 278-7073
WWW.BELLONMILANES.COM
AA-0003908

ARCHITECTURE
LAND PLANNING
INTERIORS
CONSTRUCTION MANAGEMENT

GALLOWAY MEDICAL PAVILION
SW 76TH STREET, 87TH AVENUE
MIAMI-DADE COUNTY, FLORIDA

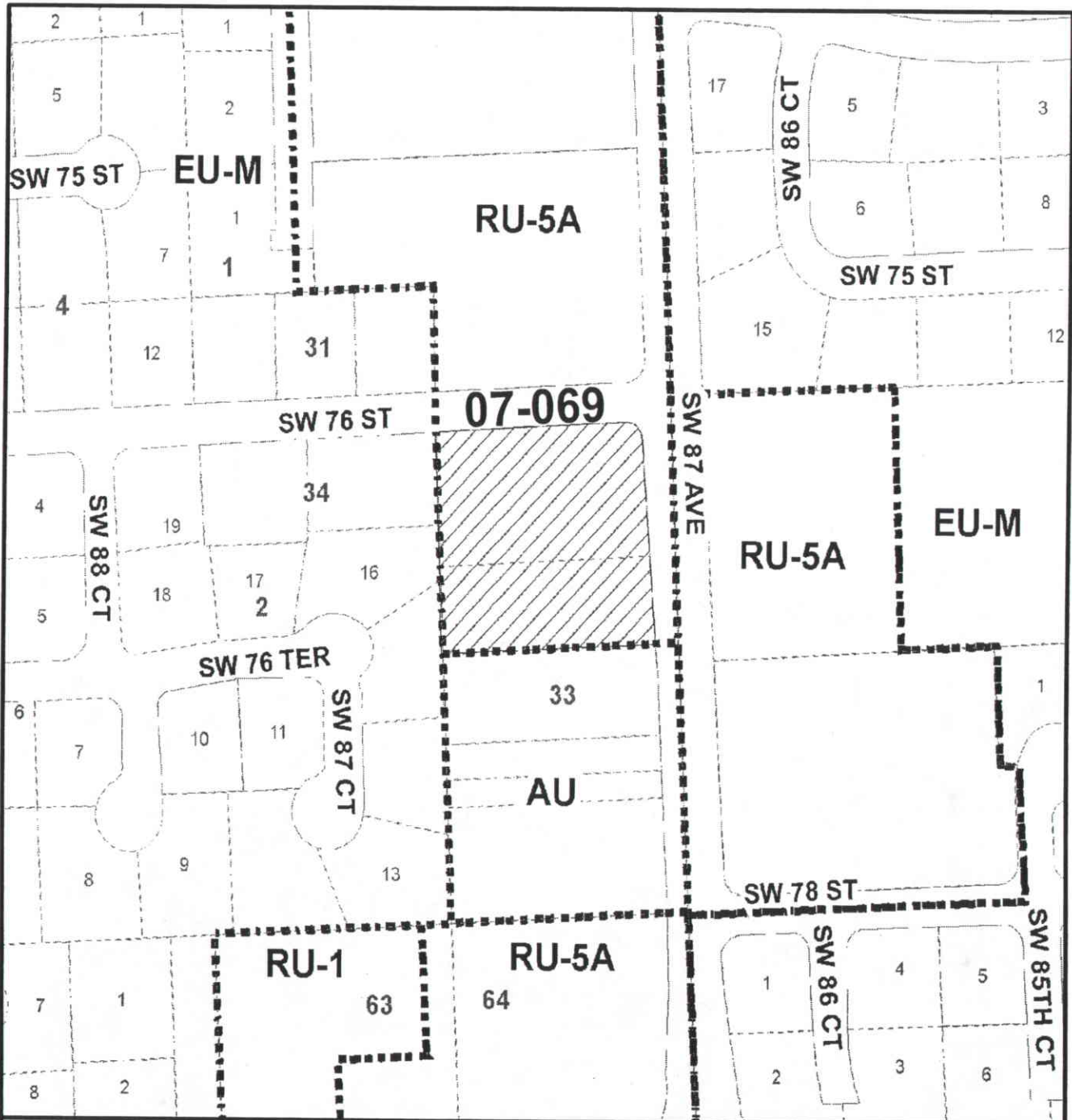
DATE: 05-09-06
DRAWN: AY/CB
CHECKED: AM
PROJ. NO: 200609149
1.
2.
3.

REC-BUILDING DEPT. COMMENTS
(1) COORDINATION CHANGES
20-04-01
FOR REVIEW AFTER APPROVAL

LEOPOLDO BELLON, AIA
AR-000737
ANGEL MILANES, AIA
AR-0015845

A-1.0
OF

GROUND FLOOR PLAN



**MIAMI-DADE COUNTY
HEARING MAP**

Section: 33 Township: 54 Range: 40

Process Number: 07-069

Applicant: MERRINECK EST., LLC & MEDICO INT. REALTY HOLDINGS LLC

Zoning Board: C12

District Number: 7

Cadastral: N'NAGBE

Scale: NTS



 **SUBJECT PROPERTY**





MIAMI-DADE COUNTY
AERIAL

Section: 33 Township: 54 Range: 40

Process Number: 07-069

Applicant: MERRINECK EST., LLC & MEDICO INT. REALTY HOLDINGS LLC

Zoning Board: C12

District Number: 7

Cadastral: N'NAGBE

Scale: NTS



SUBJECT PROPERTY



This instrument was prepared by:

Name: Matthew Amster, Esq.

Address: Bercow Radell & Fernandez, P.A.
200 S. Biscayne Blvd., Suite 850
Miami, FL 33131

DRAFT
MERRIBECK ESTATES, LLC
& MEDICO INTERNATIONAL REALTY
HOLDINGS, LLC Received by # 07-069
Zoning Agenda Coordinator

JUN 29 2007

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the County that the representations made by the owner during consideration of Public Hearing No. Z2007000069 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- (1) That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by Bellon Milanes Architects Planners entitled, "Galloway Medical Pavilion SW 76th Street, 87th Avenue," dated received the 20th day of June, 2007 (pages SP-1 and LP-1) and dated received the 9th day of May, 2007 (pages SP-2, A-1.0, A-2.0 and A-3.0), said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.
- (2) Residential uses shall not be permitted on the Property.

(Space reserved for Clerk)

County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other

remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

Owner. The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

Memorandum



Date: November 30, 2007

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Jack Kardys, Interim Director
Park and Recreation Department

Subject: Concurrency approval

This memorandum updates the blanket concurrency approval memo of November 15, 2005. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2008. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

JK: rk

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD


PBD	2007 Unincorporated Population Plus Permitted Development	Standard @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Recreation Open Space Acreage	Surplus (Deficit) Acres	Percent of Standard (%)
			Public Park Acres	School Acres	1/2 Private Open Space Acres			
1	395,924	1,088.79	972.08	299.82	110.00	1,381.90	293.11	126.92
2	588,732	1,619.01	1,616.63	356.30	137.00	2,109.93	490.92	130.32
3	155,755	429.33	526.63	96.62	17.00	623.82	195.49	145.64
Total:	1,140,411	3,136.13	3,115.34	752.74	264.00	4,115.65	979.52	134.29

Memorandum

MIAMI-DADE
COUNTY

Date: September 25, 2007

To: Jack Kardys, Interim Director
Park and Recreation Department

From:  Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

Subject: Blanket Concurrency Approval for Local Recreation Open Space

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on November 30, 2007. This authorization must be re-issued prior to October 15, 2007, so that the Department of Planning and Zoning (DP&Z) may continue reviewing concurrency applications on your behalf. If such authorization is not received, DP&Z will have to refer all zoning and permit applications to your department for concurrency review.

The Park and Recreation Department's re-authorization for blanket concurrency authorization should be effective beginning December 1, 2007 and expiring on September 30, 2008. Please note that this concurrency re-authorization period, which is less than a year, allows the Parks and Recreation Department to assume a new re-authorization timeframe of October 1 to September 30 beginning in 2008: all other such departments currently use the October 1 to September 30 re-authorization timeframe. The re-authorization should be issued, only if, after an evaluation by your department, sufficient surplus capacity to sustain projected development exists for the stated period. If there is not sufficient surplus capacity for the stated period, please advise this department immediately.

If you need further information on this matter, please contact Helen A. Brown, Concurrency Administrator, at (305) 375-2835

cc: M.T. Fojo
L. Itzkoff
L. Talleda
H. Brown

Memorandum



Date: September 17, 2007

To: Subrata Basu, Interim Director, Department of Planning and Zoning

From: *Kathleen Woods Richardson*
Kathleen Woods-Richardson, Director, Department of Solid Waste Management

Subject: Solid Waste Disposal Concurrency Determination

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of ten (10) years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements, long term contracts and anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS through Fiscal Year 2014 or two (2) years beyond the minimum standard (five years capacity). This determination is contingent upon the continued ability of the County and its disposal service contract provider to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to issue development orders. This determination shall remain in effect for a period of one (1) fiscal year (ending September 30, 2008), at which time a new determination will be issued. If, however, a significant event occurs that substantially alters the projection, the Department will issue an updated determination.

Attachment

cc: Vicente Castro, Deputy Director, Operations
Christopher Rose, Deputy Director, Administration
James Bostic, Assistant Director, Operations
Asok Ganguli, Assistant Director, Technical Services

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SEP 18 2007

Asst. Director Planning

Department of Solid Waste Management (DSWM)
Solid Waste Management Disposal Facility Available Capacity
From Fiscal Year 2007-08 Through Fiscal Year 2016-17

FISCAL YEAR PERIOD	WASTE PROJECTION	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****
		Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	Beginning Capacity	Landfilled	Ending Capacity	CONTRACT DISPOSAL
OCT. 1, 2007 TO SEPT. 30, 2008	1,885,000	828,686	155,000	673,686	2,518,633	307,000	2,211,633	2,068,785	355,000	1,713,785	250,000
OCT. 1, 2008 TO SEPT. 30, 2009	1,885,000	673,686	155,000	518,686	2,211,633	307,000	1,904,633	1,713,785	355,000	1,358,785	250,000
OCT. 1, 2009 TO SEPT. 30, 2010	1,885,000	518,686	155,000	363,686	1,904,633	307,000	1,597,633	1,358,785	355,000	1,003,785	250,000
OCT. 1, 2010 TO SEPT. 30, 2011	1,885,000	363,686	155,000	208,686	1,597,633	307,000	1,290,633	1,003,785	355,000	648,785	250,000
OCT. 1, 2011 TO SEPT. 30, 2012	1,885,000	208,686	155,000	53,686	1,290,633	307,000	983,633	648,785	355,000	293,785	250,000
OCT. 1, 2012 TO SEPT. 30, 2013	1,885,000	53,686	53,686	0	983,633	408,314	575,319	293,785	293,785	0	311,215
OCT. 1, 2013 TO SEPT. 30, 2014	1,885,000	0	0	0	575,319	567,000	8,319	0	0	0	500,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,885,000	0	0	0	8,319	8,319	0	0	0	0	500,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,885,000	0	0	0	0	0	0	0	0	0	0
OCT. 1, 2016 TO SEPT. 30, 2017	1,885,000	0	0	0	0	0	0	0	0	0	0
REMAINING YEARS				5			7			5	

ANNUAL DISPOSAL RATE (in tons)

RESOURCES RECOVERY ASHFILL	155,000
SOUTH DADE LANDFILL	307,000
NORTH DADE LANDFILL	355,000
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>1,067,000</u>

* Ashfill capacity for Cell 19 (Cell 20 is not included). When Cell 19 is depleted Resources Recovery Plant Ash and Okeelanta Ash will go to South Dade Landfill and WMI.

** South Dade includes Cells 3 and 4 (Cell 5 is not included). Assumes under from Resources Recovery consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. WMI disposal contract ends September 30, 2015.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Brown and Caldwell based on the actual January, 2007, survey with actual tons from January, 2007, through June, 2007, and projected tons for July, August and September, 2007.

Memorandum



Date: January 15, 2008

To: Subrata Basu, Interim Director
Department of Planning and Zoning

From: Harpal Kapoor, Director
Miami-Dade Transit

Subject: FY08 Blanket Concurrency Approval for Transit

This memorandum serves as a blanket authorization for your Department to continue to review and approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since all areas of Miami-Dade County meet or exceed the Level-of-Service Standards (LOS) for mass transit established in the above-referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27th Avenue from 62nd Street to the Broward County line. Please ask your staff to continue to flag any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT staff.

This authorization is intended to continue the arrangement between our respective Departments, and is effective for the period October 1, 2007 to September 30, 2008, or until canceled by written notice from my office.

Should your staff require additional information or assistance with mass transit concurrency matters, please have them contact John T. Spillman, Chief, Planning & Development Division, at 786-469-5289. Your continued cooperation on these important matters is greatly appreciated.

c: Albert Hernandez
John T. Spillman

RECEIVED
JAN 17 2007

Asst. Director Planning

Memorandum

MIAMI-DADE
COUNTY

Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning
Department of Planning and Zoning

From: Manuel C. Mena, Chief
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2, Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

Memorandum



Date: October 12, 2006

To: Diane O'Quinn Williams, Director
Department of Planning and Zoning

From: Roosevelt Bradley, Director
Miami-Dade Transit

A handwritten signature in black ink, appearing to read "Roosevelt Bradley".

Subject: FY-07 Blanket Concurrency Approval for Transit

This memorandum serves as a blanket authorization for the Department of Planning and Zoning to continue to approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85 and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area included in the 2005 Transit Development Program (TDP) update (Figure IV-3, page IV-23), we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues to advance the development process for the North Corridor transit project along NW 27th Avenue from 62nd Street to the Broward County Line. Please ask your staff to continue to signal any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT Staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2006 to September 30, 2007, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at (305) 375-1193. Your continued cooperation on these important matters is greatly appreciated.

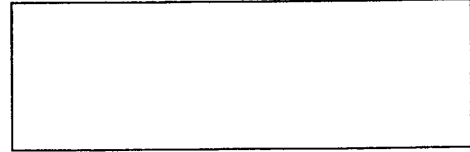
Cc: Albert Hernandez, Deputy Director
MDT Planning and Engineering
Mario G. Garcia, Chief
MDT System Planning Division
Helen A. Brown, Concurrency Administrator
Department of Planning and Zoning


Memorandum

MIAMI-DADE
COUNTY

Date: September 25, 2007

To: Jack Kardys, Interim Director
Park and Recreation Department



From:  Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

Subject: Blanket Concurrency Approval for Local Recreation Open Space

The blanket level of service/concurrency authorization for recreation and open space issued by your department last year will expire on November 30, 2007. This authorization must be re-issued prior to October 15, 2007, so that the Department of Planning and Zoning (DP&Z) may continue reviewing concurrency applications on your behalf. If such authorization is not received, DP&Z will have to refer all zoning and permit applications to your department for concurrency review.

The Park and Recreation Department's re-authorization for blanket concurrency authorization should be effective beginning December 1, 2007 and expiring on September 30, 2008. Please note that this concurrency re-authorization period, which is less than a year, allows the Parks and Recreation Department to assume a new re-authorization timeframe of October 1 to September 30 beginning in 2008: all other such departments currently use the October 1 to September 30 re-authorization timeframe. The re-authorization should be issued, only if, after an evaluation by your department, sufficient surplus capacity to sustain projected development exists for the stated period. If there is not sufficient surplus capacity for the stated period, please advise this department immediately.

If you need further information on this matter, please contact Helen A. Brown, Concurrency Administrator, at (305) 375-2835

cc: M.T. Fojo
L. Itzkoff
L. Talleda
H. Brown

Memorandum



Date: November 30, 2006

To: Dianne O'Quinn Williams, Director
Department of Planning and Zoning

From: Vivian Donnell Rodriguez, Director
Park and Recreation Department

Subject: Concurrency approval

This memorandum updates the blanket concurrency approval memo of November 15, 2005. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2007. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

2006 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Park Acres	Local Open Space School field Acres	1/2 Private Acres	Total Local Open Space	Surplus (Deficit) Acres	Level of Service
1	332,396	36,047	368,443	1,013.21	963.51	455.52	85.32	1,504.35	491.14	1.484
2	520,177	33,762	553,939	1,523.31	1,476.12	447.53	139.79	2,063.44	540.13	1.354
3	141,699	59,407	201,106	553.03	578.93	126.30	6.90	712.13	159.10	1.287
	994,272	129,216	1,123,488	3,089.55	3,018.56	1,029.35	232.01	4,279.92	1,190.37	1.375

Memorandum

MIAMI-DADE
COUNTY

Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning
Department of Planning and Zoning

From: Manuel C. Mena, Chief
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File

Memorandum



Date: September 17, 2007

To: Subrata Basu, Interim Director, Department of Planning and Zoning

From: *Kathleen Woods Richardson*
Kathleen Woods-Richardson, Director, Department of Solid Waste Management

Subject: Solid Waste Disposal Concurrency Determination

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Service Concurrency Management Program.

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Attachment

cc: Vicente Castro, Deputy Director, Operations
Christopher Rose, Deputy Director, Administration
James Bostic, Assistant Director, Operations
Asok Ganguli, Assistant Director, Technical Services

RECEIVED
SEP 18 2007

Asst. Director Planning

Department of Solid Waste Management (DSWM)
Solid Waste Management Disposal Facility Available Capacity
From Fiscal Year 2007-08 Through Fiscal Year 2016-17

FISCAL YEAR PERIOD	WASTE PROJECTION	RESOURCES RECOVERY ASHFILL *			SOUTH DADE LANDFILL **			NORTH DADE LANDFILL ***			WMI ****
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OCT. 1, 2013 TO SEPT. 30, 2014	1,885,000	0	0	0	575,319	567,000	8,319	0	0	0	500,000
OCT. 1, 2014 TO SEPT. 30, 2015	1,885,000	0	0	0	8,319	8,319	0	0	0	0	500,000
OCT. 1, 2015 TO SEPT. 30, 2016	1,885,000	0	0	0	0	0	0	0	0	0	0
OCT. 1, 2016 TO SEPT. 30, 2017	1,885,000	0	0	0	0	0	0	0	0	0	0
REMAINING YEARS				5			7			5	

ANNUAL DISPOSAL RATE (in tons)

RESOURCES RECOVERY ASHFILL	155,000
SOUTH DADE LANDFILL	307,000
NORTH DADE LANDFILL	355,000
WMI CONTRACT	250,000
TOTAL TO BE LANDFILLED	<u>1,067,000</u>

* Ashfill capacity for Cell 19 (Cell 20 is not included). When Cell 19 is depleted Resources Recovery Plant Ash and Okeelanta Ash will go to South Dade Landfill and WMI.

** South Dade includes Cells 3 and 4 (Cell 5 is not included). Assumes unders from Resources Recovery consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted, trash goes to South Dade Landfill and WMI.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons, 250,000 tons to the Medley Landfill and 250,000 tons to the Pompano Landfill in Broward County. WMI disposal contract ends September 30, 2015.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills draft report prepared by the Brown and Caldwell based on the actual January, 2007, survey with actual tons from January, 2007, through June, 2007, and projected tons for July, August and September, 2007.



Miami-Dade Police Department

Address: 7600 AND 7650 SW 87 AVENUE

MERRINECK ESTATES, LLC & MEDICO INTERNATIONAL REALTY HOLDINGS LLC; HEARING # 07-069

 Police Grids Boundaries

GRID 1753

MDPD Crime Analysis System
April 18, 2007
Data in this document represents
successfully geocoded attributes.





Miami-Dade Police Department

Address Query for Events occurring at 7600 SW 87

For 2005-03-01 Thru 2007-03-31

Miami-Dade Police Department

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2005-03-01" and Dis.Complaint Date < "2007-04-01" and Dis.Police District Code in ("A", "B", "C", "CB", "D", "E", "G", "H", "I", "K", "L", "M", "N", "P", "Q", "R", "ZZ") and Dis.Incident Address contains "7600 SW 87" and Dis.Reporting Agency Code = substring ("030", 1, 3) and Common and Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")

Incident Address	Dis	Grid	A O P	Complaint Date	Day of Wk	Call Rcvd Time	Complaint Name	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit	Event Number	Rp Wr YN
7600 SW 87 AV	K	1753	1	04/01/2005	FRI	13:32:25	DIANE	0165276D		34	13:32:25	13:50:56	13:55:00	K2504	050832961	N
7600 SW 87 AV	K	1753	1	06/18/2005	SAT	09:47:16	LYNN KRUKOWSKI	0312169D		14	09:47:16	09:47:16	09:47:16		051543612	Y
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:01:01	UNK			15	07:01:01	07:01:01	07:01:01	K2102	051934272	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:03:27	UNK			15	07:03:27	07:03:27	07:03:27	K2104	051934309	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:27:08	UNK			15	07:27:08	07:27:08	07:27:08	AIR25	051934482	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:27:36	UNK			15	07:27:36	07:27:36	07:27:36	K9026	051934488	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:30:16	UNK			15	07:30:16	07:30:16	07:30:16	K2100	051934512	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:30:21	UNK			15	07:30:21	07:30:21	07:30:21	K7522	051934515	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:38:31	UNK			15	07:38:31	07:38:31	07:38:31	K2301	051934558	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	08:03:12	UNK			15	08:03:12	08:03:12	08:03:12	K2103	051934821	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	08:21:57	UNK			15	08:21:57	08:21:57	08:21:57	K7523	051934966	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:30:06	UNK			15DL	07:30:06	07:30:06	07:30:06	K2300	051934511	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:27:56	UNK		3	15	07:27:56	07:27:56	07:27:56	K2102	051934496	N
7600 SW 87 AV	K	1753	1	08/01/2005	MON	07:26:37	UNK		3	15DL	07:26:37	07:26:37	07:29:27	K2102	051934477	N
7600 SW 87 AV/PARKER SOD	K	1753	1	03/13/2005	SUN	10:19:48	LAUDERDALE,MR	0129810D		22FS	10:19:48	10:20:44	10:30:08	K2180	050659744	Y



Miami-Dade Police Department

Miami-Dade Police Department

Address Query for Events occurring at 7650 SW 87

For 2005-03-01 Thru 2007-03-31

Crime Information Warehouse

Detail Filter: Dis.Complaint Date >= "2005-03-01" and Dis.Complaint Date < "2007-04-01" and Dis.Police District Code in ("A", "B", "C", "CB", "D", "E", "G", "H", "I", "K", "L", "M", "N", "P", "Q", "R", "ZZ") and Dis.Incident Address contains "7650 SW 87" and Dis.Reporting Agency Code = substring ("030", 1, 3) and Common and Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")

Incident Address	Dis	Grid	A O P	Complaint Date	Day of Wk	Call Rcvd Time	Complaint Name	Case Number	Sig Pre	Sig Suf	Rcvd Time	Disp Time	1st Arriv Time	1st Arriv Unit	Event Number	Rp Wr YN



MIAMI-DADE POLICE DEPARTMENT
Zoning Hearing Report Part I and Part II Crimes w/o AOA
For Specific Grids
For 2005 and 2006



Miami-Dade Police Department

Grid(s): 0031, 0330, 0863, 1343, 1471, 1588, 1753, 2023, 2353, 2474, 2574, 2600, 4824, 5018

2005 2006

Grid 1753					
Part I					
130A		AGGRAVATED ASSAULT		0	4
2200		BURGLARY		4	8
2400		MOTOR VEHICLE THEFT		6	0
1200		ROBBERY		1	0
230C		SHOPLIFTING		4	4
230G		SHOPLIFTING ALL OTHERS		13	19
230F		SHOPLIFTING FROM A MOTOR VEHICLE		18	16
Part I TOTAL				46	51
Part II					
260A		FRAUD CON/SWINDLE/FALSE PRET.		1	2
260B		FRAUD CREDIT CARD/ATM		4	3
260D		IMPERSONATION		0	2
350A		NARCOTIC BUY/SELL/POSS/IMPORT/MANUF		2	4
130B		SIMPLE ASSAULT		3	3
130E		SIMPLE STALKING		1	0
Part II TOTAL				11	14
Grid 1753 TOTAL				57	65



Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2005 and 2006



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0031", "0330", "0863", "1343", "1471", "1588", "1753", "2023", "2353", "2474", "2574", "2600", "4824", "5018")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

		2005		2006	
Grid	Signal Code	Signal Description			
1753	13	SPECIAL INFORMATION/ASSIGNMENT		18	35
	14	CONDUCT INVESTIGATION		54	60
	15	MEET AN OFFICER		207	6
	16	D.U.I.		3	2
	17	TRAFFIC ACCIDENT		43	64
	18	HIT AND RUN		20	11
	19	TRAFFIC STOP		45	57
	20	TRAFFIC DETAIL		5	15
	21	LOST OR STOLEN TAG		2	6
	22	AUTO THEFT		8	5
	25	BURGLAR ALARM RINGING		183	152
	26	BURGLARY		31	29
	27	LARCENY		18	19
	28	VANDALISM		5	10
	32	ASSAULT		5	13
	33	SEX OFFENSE		1	2
	34	DISTURBANCE		45	41
	36	MISSING PERSON		4	10
	37	SUSPICIOUS VEHICLE		9	9
	38	SUSPICIOUS PERSON		5	6
	39	PRISONER		3	4
	41	SICK OR INJURED PERSON		19	33
	43	BAKER ACT		1	3
	44	ATTEMPTED SUICIDE		1	0
	45	DEAD ON ARRIVAL		2	1
	47	BOMB OR EXPLOSIVE ALERT		1	0



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			2005	2006
Grid	Signal Code	Signal Description		
1753	49	FIRE	3	1
	52	NARCOTICS INVESTIGATION	2	5
	54	FRAUD	7	8
	55	WEAPONS VIOLATION	0	1
Total Signals for Grid 1753 :			750	608